# --- JF16 Util Aff ---

# 1ACs

## 1AC – Util (SP + SV)

### Framework

#### Empiricism is key to avoid regress

Richards ’86 (Robert, “A Defense of Evolutionary Ethics,” Biology and Philosophy) bracketed for offensive language

This brief discussion of justification of ethical principles indicates how the concept of justification must, I believe, be employed. "To justify" means "to demonstrate that a proposition or system of propositions conforms to a set of acceptable rules, a set of acceptable factual propositions, or a set of acceptable practices. The order of justification is from rules to empirical propositions about beliefs and practices. That is, if rules serving as inference principles or the rules serving as premises (e.g., the Golden Rule) of a justifying argument are themselves put to the test, then they must be shown to conform either to still more general rules or to empirical propositions about common beliefs and practices. Barring an infinite regress, this procedure must end in what are regarded as acceptable beliefs or practices. Aristotle, for instance, justified the forms of syllogistic reasoning by showing that they made explicit the patterns employed in argument by rational men. Kant justified the categorical imperative and the postulates of practical reason by demonstrating, to his satisfaction, that they were the necessary conditions of common moral experience: that is, he justified normative principles by showing that their application to particular cases reproduced the common moral conclusions of 18th century German burgers and Pietists. If this is an accurate rendering of the concept of justification, then the justification of first moral principles and inference rules must ultimately lead to an appeal to the beliefs and practices of [people], which of course is an empirical appeal. So moral principles ultimately can be justified only by facts.

#### Phenomenal introspection reliably informs us of pain’s badness and pleasure’s goodness as an empirical basis for ethics

Sinhababu ’13 (Neil, National University of Singapore, “The epistemic argument for hedonism,” 2013)

The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.28 While one's phenomenology is often called one's “subjective experience”, e facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ ontologically dependent on attitudes towards it.” My yellow-experiences are objectively bright, so that anyone who thought my yellow-experiences were not bright would be mistaken. Pleasure similarly is objectively good – it is true that anyone's pleasure is good, and anyone who denies this is mistaken. As Mendola writes, “In the phenomenal value of phenomenal experience, we have a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states**,** I can know that others' pleasure is good. Of course, I cannot phenomenally introspect their pleasures any more than I can phenomenally introspect pleasures that I will experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it is like when others have exactly the experience I am having, I must think that they are having good experiences. If they have exactly the same experiences I am having, their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it will have the same intrinsic properties. Even though the only pleasure I can introspect is mine now**,** I should believe that pleasures experienced by others and myself at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### There’s no act-omission distinction—

#### a. Every omission is an intentional decision to override other thought processes

Sartorio ’09 (Omissions and Causalism∗ - CAROLINA SARTORIO, University of Arizona [Volume 43, Issue 3](http://onlinelibrary.wiley.com.libproxy.usc.edu/doi/10.1111/nous.2009.43.issue-3/issuetoc), Article first published online: 3 AUG 2009)

Second, a causalist could claim that other things besides events can be causes and effects but causal talk involving events is still the most basic kind of causal talk. In particular, causal talk involving omissions and other absences can be true, but it is made true, ultimately, by causal talk involving events. This is Vermazen’s suggestion in his (1985), which Davidson explicitly embraces in his reply to Vermazen (Davidson 1985). How can a causalist do this? Roughly, Vermazen’s idea is the following. Imagine that I am tempted to eat some fattening morsels, but I refrain. Then my passing on the morsels is an intentional omission because the relevant mental states/events (proattitudes, intentions, etc.) cause my not eating the morsels, and this is, in turn, because, had those mental states been absent, then some other mental states/events (competing pro-attitudes, intentions, etc.) would have caused my eating the morsels. In other words, actual causal talk involving omissions is made true by counterfactual causal talk involving positive occurrences or events.

#### b. Government actions will inevitably lead to trade-offs since they benefit some and harm others; the only justifiable way to resolve these conflicts is by benefitting the maximum possible number of people since anything else would unequally prioritize one group over another. Actor-specificity comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied and link turns them because the alt would be *no* action.

#### Thus, the standard is maximizing pleasure and minimizing pain. Additionally:

#### Language cannot describe reality, which means a priori knowledge fails

Conard ’07 (Mark T, prof @ Marmount Manhattan, “Chaos, Order and Morality: Nietzsche’s Influence on Full Metal Jacket,” The Philosophy of Stanley Kubrick edited by Jerold J. Abrams)

Further, our conscious, rational thought is inseparable from language, and consequently, our understanding of the world is only possible through language. We use words to designate what we see and experience in the world. But, says Nietzsche: “A word becomes a concept insofar as it simulta- neously has to fit countless more or less similar cases—which means, purely and simply, cases which are never equal and thus altogether unequal. Every concept arises from the equation of unequal things. Just as it is certain that one leaf is never totally the same as another, so it is certain that the concept ‘leaf ’ is formed by arbitrarily discarding these individual differences and by forgetting the distinguishing aspects.”3 Our understanding and grasp of the world are achieved through language and concepts. But thought cannot grasp the difference and uniqueness of each individual thing. Rather, it ignores the myriad differences among things and groups them under abstract concepts. Does “leaf” designate or signify any one unique, individual thing? No, of course not; no word does. It covers or describes countless different things. That is how language functions, and again, our thinking is inseparable from language, such that our understanding of the world is based on this falsification of experience.

#### We have no unified consciousness

Parfit ’84 (Derek, *Reasons and Persons*) brackets for gender

Some recent medical cases provide striking evidence in favour of the Reductionist View. Human beings have a lower brain and two upper hemispheres, which are connected by a bundle of fibres. In treating a few people with severe epilepsy, surgeons have cut these fibres. The aim was to reduce the severity of epileptic fits, by confining their causes to a single hemisphere. This aim was achieved. But the operations had another unintended consequence. The effect, in the words of one surgeon, was the creation of ‘two separate spheres of consciousness.’ This effect was revealed by various psychological tests. These made use of two facts. We control our right arms with our left hemispheres, and vice versa. And what is in the right halves of our visual fields we see with our left hemispheres, and vice versa. When someone’s hemispheres have been disconnected, psychologists can thus present to this person two different written questions in the two halves of [their] visual field, and can receive two different answers written by this person’s two hands.

### Plan

#### The United States federal government will prohibit the ownership of private handguns and implement a reimbursement policy to collect handguns currently in circulation. I reserve the right to clarify.

Etzioni and Hellend ’92 [Amitai Etzioni and Steven Hellend, “The Case for Domestic Disarmament”, The Communitarian Network, 1992]

PROPOSED HANDGUN LEGISLATION Prohibits the importation, exportation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns. Establishes a "grace period" during which time handguns may be turned into any law enforcement agency with impunity and for reimbursement at the greater of either $25 or the fair market value of the gun. Allows an exception for: \* agencies of federal, state, or local government (military and law enforcement) \* collectors of antique (nonserviceable) firearms \* federally-licensed handgun sporting clubs; the clubs must be founded for bonafide target or sport shooting; must maintain possession and control of the handguns used by its members; must have procedures and facilities for keeping the handguns secure when not in a local law enforcement facility; and may not have as members persons whose membership would violate state of federal law \* federally-licensed professional security guard services [operating with similar conditions as those set for handgun clubs] Sets up penalties of up to $5,000, or up to 5 years imprisonment, or both, for violation of the provisions of the Act. We suggest the following friendly amendment to Senator Chafee's proposed legislation: Extend the above prohibitions to ammunition for handguns, allow for the exceptions to apply also to ammunition, and establish a "grace period" during which those who turn over ammunition to any law enforcement agency would be reimbursed at the fair market value.

### Advantage 1 is Soft Power

#### America’s “gun disease” is killing soft power now—shift towards gun laws is key independent of solvency

Freedland ’13 (Jonathan Freedland is the Guardian's executive editor, Opinion, overseeing Comment is free, editorials and long reads. He continues to write a weekly column. He is also a regular contributor to the New York Times and the New York Review of Books, and presents BBC Radio 4's contemporary history series, The Long View. In 2014 he was awarded the Orwell special prize for journalism, having been named columnist of the year in the 2002 What the Papers Say awards. He has also published seven books, including five bestselling thrillers under the name Sam Bourne. “Washington DC shootings: America's gun disease diminishes its soft power,” 9/17, <http://www.theguardian.com/commentisfree/2013/sep/17/washington-dc-shootings-america-gun-disease>) OS bracketed for gender

But that would be to miss the wider point. America's gun sickness – which has turned massacres of this kind into a fairly regular, rather than exceptionally rare occurrence – endangers the US not solely because it can lead military personnel to lose their lives, nor even because it can lead to the murder of schoolchildren, as it did at Sandy Hook elementary school last year, or the death of young movie-goers, as it did in Aurora, Colorado, also last year – dreadful though those losses are. The foreign policy experts who gather in the thinktanks and congressional offices not far from the navy yard often define national security to encompass anything that touches on America's standing in the world. That ranges from its ability to project military force across the globe to its attractiveness, its "soft power". For decades, this latter quality has been seen as one of the US's primary assets, central to its ability to lead and persuade other nations. But America's gun disease diminishes its soft power. It makes the country seem less like a model and more like a basket case, afflicted by a pathology other nations strive to avoid. When similar gun massacres have struck elsewhere – including in Britain – lawmakers have acted swiftly to tighten controls, watching as the gun crime statistics then fell. In the decade after the rules were toughened in Australia in 1996, for example, firearm-related homicides fell by 59%, while suicides involving guns fell by 65%. But the US stays stubbornly where it is, refusing to act. When President Obama last tried, following the deaths of 20 children and six staff at Sandy Hook at the end of 2012, his bill fell at the first senate hurdle. He had not proposed banning a single weapon or bullet – merely expanding the background checks required of someone wanting to buy a gun. But even that was too much. The national security pundits who worry how a US president is perceived when he is incapable of protecting the lives of innocent Syrians abroad should think how it looks when he is incapable of protecting the lives of innocent Americans at home. On guns, the US – so often the world leader in innovation and endeavour – is the laggard, stuck at the bottom of the global class. Bill Clinton perfectly distilled the essence of soft power when he said in 2008, "People the world over have always been more impressed by the power of our example than by the example of our power." He was right. But every time a disturbed or angry individual is able to vent [their] rage with an assault weapon, killing innocents with ease, the power of America's example fades a little more.

#### Soft power is key to international cooperation—that solves warming

Nye ’08 (Joseph S. Nye Jr., created the theory of “soft power,” distinguished service professor and former dean of Harvard’s Kennedy School of Government, PhD in Political Science from Harvard, 3/7/08, http://abs.sagepub.com/cgi/content/abstract/51/9/1351)

Etzioni is correct that a successful policy of security first will require the combi- nation of hard and soft power. Combining the two instruments so that they reinforce rather than undercut each other is crucial to success. Power is the ability to get the outcomes one wants. In the past,it was assumed that military power dominated most issues, but in today’s world, the contexts of power differ greatly on military, economic, and transnational issues. These latter problems, including everything from climate change to pandemics to transnational terrorism, pose some of the greatest challenges we face today, and yet few are susceptible to purely military solutions. The only way to grapple with these problems is through cooperation with others, and that requires smart power—a strategy that combines the soft power of attraction with the hard power of coercion. For example, American and British intelligence agencies report that our use of hard power in Iraq without sufficient attention to soft power has increased rather than reduced the number of Islamist terrorists throughout the past 5 years. The soft power of attraction will not win over the hard core terrorists but it is essential in winning the hearts and minds of mainstream Muslims, without whose sup- port success will be impossible in the long term. Yet all the polling evidence suggests that American soft power has declined dramatically in the Muslim world. There is no simple military solution that will produce the outcomes we want. Etzioni is clear on this and highly critical of the failure to develop a smart power strategy in Iraq. One wishes, however, that he had spent a few more pages developing one for Iran.

#### Warming causes extinction

Mazo ’10 (Jeffrey Mazo – PhD in Paleoclimatology from UCLA, Managing Editor, Survival and Research Fellow for Environmental Security and Science Policy at the International Institute for Strategic Studies in London, 3-2010, “Climate Conflict: How global warming threatens security and what to do about it,” pg. 122)

The best estimates for global warming to the end of the century range from 2.5-4.~C above pre-industrial levels, depending on the scenario. Even in the best-case scenario, the low end of the likely range is 1.goC, and in the worst 'business as usual' projections, which actual emissions have been matching, the range of likely warming runs from 3.1--7.1°C. Even keeping emissions at constant 2000 levels (which have already been exceeded), global temperature would still be expected to reach 1.2°C (O'9""1.5°C)above pre-industrial levels by the end of the century." Without early and severe reductions in emissions, the effects of climate change in the second half of the twenty-first century are likely to be catastrophic for the stability and security of countries in the developing world - not to mention the associated human tragedy. Climate change could even undermine the strength and stability of emerging and advanced economies, beyond the knock-on effects on security of widespread state failure and collapse in developing countries.' And although they have been condemned as melodramatic and alarmist, many informed observers believe that unmitigated climate change beyond the end of the century could pose an existential threat to civilisation." What is certain is that there is no precedent in human experience for such rapid change or such climatic conditions, and even in the best case adaptation to these extremes would mean profound social, cultural and political changes.

### Advantage 2 is Systemic Violence

#### A] Guns make intimate partner violence deadly

Everytown ’14 (Everytown for Gun Safety, 6-16-2014, "Guns and Violence Against Women," Everytown for Gun Safety is a nonprofit which advocates for gun control combining Mayors Against Illegal Guns, <http://everytownresearch.org/reports/guns-and-violence-against-women/>) brackets for offensive language

Domestic violence [Intimate partner violence] in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined. And people with a history of committing domestic violence [intimate partner violence] are five times more likely to subsequently murder an intimate partner when a firearm is in the house. At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members. And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.

#### **B] Aff is key to solve masculinized gun culture which causes racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower**

Gahman ’14 (Levi, University of British Columbia, “Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas,” *Gender, Place & Culture: A Journal of Feminist Geography* 2014, Academia) OS

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger sociopolitical structures that influence the decisions people are allowed to make. As such, the interlocking influences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergymembers, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reification of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reaffirmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualifiers noting that ‘safety and respect’ are first and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that firearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a rifle that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signifies a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow 1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codifies their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

#### C] Plan solves a major avenue for the infliction of white racial terror upon black communities, and gun violence locks in cycles of racist oppression

Peniel ’15 (Joseph Peniel, Reporter for Newsweek, “Guns Have Been the Most Dramatic Weapon Used Against African-Americans, but Not the Most Effective,” Newsweek, 6/23, [http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african- americans-not-most-346101](http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african-%20americans-not-most-346101))

African-American veterans returned from World War I with a renewed militancy that helped ignite a New Negro Movement that promoted black political self-determination. New Negroes flocked to Marcus Garvey’s Universal Negro Improvement Association, creating businesses, publishing newspapers and preaching a gospel of racial unity whose cultural arm would flower in the Harlem Renaissance. But whites’ anti-black violence, often backed by guns, was never far away. Racial segregation in public accommodations and the disenfranchisement of black voters was backed by both public policy and popular consensus. Just as guns, many of them—including those wielded by black soldiers—helped to end slavery and win the Civil War, it would take thousands of guns—this time wielded by white supremacists—to enable white Southerners to win the peace. The modern civil rights era unfolded against this backdrop, where whites used guns and threats of violent reprisals to ensure a brutally unjust racial order. The movement’s nonviolent face, personified by Dr. Martin Luther King Jr.’s dream of a “beloved community,” hid a long history of armed self-determination within the black community. Malcolm X’s scathing broadsides against white violence included open advocacy for armed self-defense so that blacks could achieve liberation “by any means necessary,” as he often said in speeches during the early 1960s. While most African-Americans avoided taking up arms, some did, including Robert F. Williams, a North Carolina NAACP activist and author of Negroes With Guns (1962); the Deacons for Defense and Justice; and the Black Panthers. Both Williams and the Deacons offered armed protection against racist terror for nonviolent civil rights activists in the South. Members of the Student Non-Violent Coordinating Committee (or SNCC, pronounced “snick) encountered an older generation of Southern blacks who never left their rural homes without carrying a pistol or shotgun for protection. The Black Panthers for a time went further, shifting from a self-defensive posture into an open advocacy of “revolutionary violence” before being pummeled into submission by the FBI and local authorities through state-sanctioned violence. Yet the symbolism of black men and women confronting police brutality and racial violence armed with guns and law books resonates today. Post-civil-rights America has seen an explosion of guns and gun violence that has disproportionately hurt the African-American community. The flood of guns in racially segregated and impoverished black neighborhoods has produced catastrophic trauma in inner cities. Black homicide rates dwarf their white counterparts, with most victims killed by African-Americans, the pro-gun control Violence Policy Center reports. Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after Juneteenth delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

### Solvency

#### Bans are effective—

#### A] Highest quality data flows aff—handguns are key

Dixon ’11 (Nicholas Dixon, associate professor of philosophy, Alma College, “Handguns, Philosophers, and the Right to Self-Defense,” *International Journal of Applied Philosophy*, Vol. 25 No. 2, 2011)

Before turning to nonconsequentialist defenses of handguns based on the right to self-defense, a brief sketch of my original utilitarian argument for prohibition is in order. Its starting point is a striking set of international data. The United States far outstrips five other developed countries (Australia, Canada, Israel, Sweden, and the United Kingdom) in both handgun ownership and handgun homicide rates per 100,000 people. The United States' handgun homicide rate is over twenty times greater than that in these other countries, and its handgun ownership rate is over nine times as high. 4 My reason for singling out handguns for prohibition in the United States is that they are, in this country, the firearm of choice of criminals, being used in at least 72.2 percent of firearms homicides in the years 2006—2010.5 Substantially reducing the number of handguns in the U.S. will very likely substantially reduce the rate of total homicide. This prediction is based not only on the noted statistics, but also on the following considerations, which constitute a rudimentary causal theory. First, a large proportion of these crimes is currently committed with handguns. Since 1970, approximately one-half of the homicides in the U.S. have been committed with handguns. In 2006-2010, an average of 6,909 homicides (48.7 percent of all homicides) was committed per year With handguns.6 Second, because of their cheapness, concealability, ease of use, and lethality, handguns are ideally suited to the commission of crimes and criminals are highly unlikely to be able to commit as many violent crimes by switching to alternative weapons. Third, other weapons that assailants might substitute for firearms are far less lethal than handguns, and in the case of firearms other than handguns, although the wounds that they inflict are more serious, their lower concealability makes it harder to inflict wounds in the first place.' Since the appearance of my first articles, social scientists have performed far more sophisticated statistical analyses of much more comprehensive comparative data, and they provide strong support for my causal hypothesis that prohibition would reduce homicide in the U S. In three separate studies of fourteen, eighteen, and twenty-one countries, Martin Killias has found that the prevalence of firearms is strongly correlated with the firearms homicide rate. The first study indicated a correlation of .746 (where 1 is a perfect correlation), with a probability of less than 0.01 that this would happen by chance, the second produced a correlation of .476—.610 (p<0.031) and the third indicated a correlation of .54 (p<0.05) when the countries with extreme scores are excluded.10 More important, both Killias's and other studies have shown a correlation between gun ownership and total (gun plus non-gun) homicide rates. Most notably, in a 2000 study of twenty-six high-income countries, David Hemenway and Matthew Miller found a correlation of .69 (p<0.00). This study is of special interest because it investigated twenty-six of the twenty-seven countries with a population of over one million defined by the World Bank as high income or highly industrialized. Focusing on a more homogenous group of countries helps to narrow attention to the variable in question—firearms—and minimizes the confounding effect of other causes of homicide. Hemenway and Miller's study found that the overall homicide rate in the U.S. was 5.98 times higher than in the other twenty-five countries, thus obvi- ating the objection that the total homicide rate in these other countries could be just as high as in the U.S., due 'to non-handgun homicides. Finally, in a study of twelve countries using some of Killias's data, Gregg Lee Carter concludes that total homicide is correlated with gun ownership at a rate of .67 and with handgun ownership at a rate of .84." In its review of the literature on the connection between firearms and violence, the National Academy of Science concludes that "in comparisons among countries, there is a substantial association between gun ownership and homicide." 14 To complete the argument that these correlations indicate that handguns cause murder, we need to rule out alternative explanations of the data. First, causation may operate in reverse, in that handgun ownership may be a response to high homicide rates, not a cause, because some people buy firearms to protect them- selves against crime. Second, both handgun ownership and homicide rates may be a function of a third factor, while not affecting each other. In this vein, some proponents of gun rights argue that the United States' very high handgun owner- ship and overall homicide rates are both caused by some third factor unrelated to guns. The second hypothesis is hard to reconcile with the data. Any causes that lead Americans to buy more guns and commit more homicides than inhabitants of other affluent societies—for example, a greater propensity to violence—should equally affect homicide in general and not just homicides committed with firearms. What we find, in contrast, is a far greater disparity between the United States and Western European countries in firearms homicide than in non-gun homicide. The American firearm homicide rate is 4.96 times higher than the average rate in eighteen Western European countries, but its non-gun homicide rate is only 1.96 times higher than the European rate.15 While this data lends some support for the existence of a greater propensity to violence in the United States independent of firearms, the only plausible explanation of the far greater disparity in firearms homicide is that the prevalence of guns is itself a significant causal factor.

#### B] Aff decreases the black market and self-protection args are empirically disproven

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

But this does not resolve the issue, for it does not establish what gun control advocates claim it shows, namely, that gun control is an effective way of substantially lessening the murder rate. First, a statistical correlation shows that two things are linked, but it does not tell us if the first caused the second, the second caused the first, or if there is some third factor which caused both. Second, even if the items are causally related, we do not know that changing the cause will automatically and straightforwardly change the effect since another factor might intervene to sustain the effect. Gun advocates proffer their own armchair explanation for the correlations: These correlations reflect the character of the respective social and political systems. The European countries where murder rates are lower have more social solidarity and are more heterogeneous than the United States. Whether these social factors explain all the correlation is debatable, but I am confident they explain some of it. Were the United States to regulate guns as tightly as most European countries, our murder rates would arguably fall, but they would not immediately plummet to their levels. We might settle the issue if we conducted controlled experiments, randomly dividing our population in half, giving half of them guns, removing all the guns from the other half, and then monitoring the murder rate. Of course, that would be morally unacceptable, politically unrealistic, and probably even scientifically unachievable. Before we had enough time to exclude all possible intervening causes, sufficient time might have elapsed so that new intervening causes could have emerged. But we are not in the dark. We have empirical evidence that helps adjudicate between competing explanations of the correlation. First, we have empirical evidence, bolstered by armchair arguments, that guns are more lethal than other weapons. Some claim the ratio is 5:1; no estimates are lower than 2:1 (Reiss, A. J., Jr. and Roth, J. A. 1993: 260). This partly explains the strong correlation between guns and homicides. If people get angry the same number of times, those using the most lethal weapons are more likely to kill their victims. Second, the nature of secondary gun markets helps explain how the widespread availability of guns increases crime in general, and homicides in specific. Various opponents of gun control claim that "If we outlaw guns, only outlaws will have guns." Armchair arguments suggest why this is a silly claim. Where, one might ask, do criminals get their guns? They often steal them or buy them from those who purchased them legally. Even guns obtained from other criminals are usually traceable to people who purchased them legally. Empirical evidence supports this armchair supposition. Most criminals report having stolen their guns, received them from a friend or family member, or purchased them from someone who had stolen it. At least half a million guns are stolen each year (Cook, P. J. et al. 1995: 81), and these swell the numbers of guns available illegally. Not only does the primary (legal) market effect the availability of guns on secondary markets, it also affects the price of guns on those markets, much "like the analogous markets for motor vehicles or prescription drugs" (Cook, P. J. et al. 1995: 71). As we restrict availability of guns in the primary market, the supply of guns in the secondary markets decreases and their cost increases (Cook, P. J. et al. 1995: 73). This increase in cost will diminish teenagers' ability to obtain guns, since they are least able to afford hefty prices. Since teenagers commit most deadly crimes, decreasing the availability of legal guns will thereby decrease the number of homicides. Conversely, having huge numbers of legally available guns increases the number of guns on secondary markets and typically lowers their price. This makes it easier for prospective criminals, including teenagers, to obtain guns. Third, having a gun around the house (or on the person) - even for self-protection - apparently increases the chance that someone in the family will kill themselves with the gun, or will be the victim of a homicide or an accident. One study found that "for every time a gun in the home was involved in a self-protection homicide, they noted 1.3 unintentional deaths, 4.5 criminal homicides, and 37 firearm suicides" (Reiss, A. J., Jr. and Roth, J. A. 1993: 267). This implies that for every case where someone in a gun-owning household kills an intruder to thwart a life-threatening attack, nearly 43 people in similar households will die from a gunshot. Taken together the evidence does not prove that widespread availability of guns increases the number of homicides. However, that empirical evidence, bolstered by earlier armchair arguments, makes the claim highly plausible.

#### C] Causes a long term *cultural shift* that guarantees solvency

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

### Underview

#### First, CX checks on all T and theory on the advocacy. a) Ensures substantive education since we’ll be able to avoid theory in a bunch of instances, which ensures debate about the topic, which is applicable to the real world, b) mutually exclusive interps means I’m forced to take a stance but if I have no idea which you would prefer I just do so arbitrarily so you shouldn’t punish me.

#### Second, if I win a counter-interpretation to T or theory, vote aff. Time-pressed rebuttals means the aff needs the ability to collapse to theory in order to overcome the inequity of the speech times. Otherwise the 2NR would also moot a large portion of the 1AR by kicking theory. Prefer time skew to other links to fairness because it’s quantifiable and verifiable.

#### Third, reasonability and drop the argument on T. The briteline is if it’s been disclosed, defends a ban everywhere in the US for all guns and all individuals, provides link and impact turn ground, and has a CX concession spike. Prefer: a) Only the aff has the burden of meeting topicality, so it’s nonreciprocal to hold it to the same standards as other theory, b) mutually exclusive legitimate T interps—I have to choose one but you could read T no matter what which skews my strat—best possible interpretation is a bad standard.

#### Fourth, aff’s political method is good—

#### Critical academia that doesn’t engage politics makes efficacy impossible – they re-inscribe the existing structure in a constant critique

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### Simulated legal debates are key to social transformation—creates a rallying point

Karl Klare, George J. & Kathleen Waters Matthews Distinguished University Professor, Northeastern University School of Law, “Teaching Local 1330—Reflections on Critical Legal Pedagogy,” (‘11). School of Law Faculty Publications. Paper 167. http://hdl.handle.net/2047/d20002528

This dialogue continues for awhile. **One ineffective theory after another is put on the table**. **Only once or twice in the decades I have taught this exercise have the students gotten close to a viable legal theory**. But this is not wasted time—lear**n**ing **occurs in** this phase of **the exercise**. **The point conveyed is** that **while law and morals/politics are inextricably intertwined**, **they are not the same**. For one thing, **lawyers have a distinct way of talking about and analyzing problems** that is characteristic of the legal culture of a given time and place. So-called “**legal reasoning**” **is actually a repertoire of conventional**, **culturally approved rhetorical moves and counter-moves** **deployed by lawyers** to **create an appearance of** the **legal necessity** of the results for which they contend. In addition, **good lawyers** actually **possess useful**, specialized **knowledge** not **generally** absorbed by **political theorists or movement** activists**. Legal training sensitizes us** **to the many complexities that arise whenever general norms and principles are implemented in the form of rules** of decision **or case applications**. **Lawyers know**, for example, that large stakes may turn on precisely how a right is defined, **who has standing** to vindicate it, **what remedies it provides, how the right is enforced** and in what venue(s), and so on. **We are not doing our jobs** properly **if we argue,** simply, “**what the defendant did was unjust and the plaintiff deserves relief**.” No one needs a lawyer to make the “what the defendant did was unjust” argument. As Lynd‟s account shows, the workers of Youngstown did make that argument in their own, eloquent words and through their collective resistance to the shut-downs. **If “what the defendant did was unjust” is all we have to offer, lawyers bring no added value to the table. Progressive students** sometimes **tell themselves** that **law is** basically **gobbledygook**, but that you can assist movements for social change if you learn how to spout the right gobbledygook. In this view of legal practice, “creativity” consists in identifying an appropriate technicality that helps your client. But in the Youngstown situation, we are way past that naïve view. There is no “technicality” that can win the case. In this setting, **a social justice lawyer must use the bits and pieces lying around to generate new legal knowledge and new legal theories**. And **these new theories must say something** **more than** “**my client deserves to win**” (although it is fine to commence one‟s research on the basis of that moral intuition). The class is beginning to get frustrated, and around now someone says “well, what do you expect? This is capitalism. There‟s no way the workers were going to win.” The “this-is-capitalism” (“TIC”) statement sometimes comes from the right, sometimes from the left, and usually from both ends of the spectrum but in different ways. The TIC statement precipitates another teachable moment. I begin by saying that we need to tease out exactly what the student means by TIC, as several interpretations are possible. For example, TIC might be a prediction of what contemporary courts are most likely to do. That is, TIC might be equivalent to saying that “it doesn‟t matter what theory you come up with; 999 US judges out of 1,000 would rule for U. S. Steel.”17 I allow that this is probably true, but not very revealing. The workers knew what the odds were before they launched the case. Even if doomed to fail, **a legal case may still make a contribution to social justice** if **the litigation creates a** focal point **of energy around which a community can mobilize, articulate moral and political claims, educate the wider public, and conduct political consciousness-raising**. And if there is political value in pursuing a case, we might as well make good legal arguments. On an alternative reading, the TIC observation is more ambitious than a mere prediction. It might be a claim that a capitalist society requires a legal structure of a certain kind, and that therefore professionally acceptable legal reasoning within capitalist legal regimes cannot produce a theory that interrogates the status quo beyond a certain point. Put another way, some outcomes are so foreign to the bedrock assumptions of private ownership that they cannot be reached by respectable legal reasoning. A good example of an outcome that is incompatible with capitalism, so the argument goes, is a court order interfering with U.S. Steel‟s decision to leave Youngstown. **This reading of the TIC comment embodies** **the idea** that **legal discourse** is **encased within a deeper**, extra-legal **structure given by requirements of** the social order (**capitalism**), **so that within professionally responsible legal argument** **the best lawyers in the world could not state a winning theory** in Local 1330. Ironically, **the left and the right in the class often share this belief.** I take both conservative and progressive students on about this. I insist that **the** **claim** that **our law is constrained by a** **rigid meta-logic of capitalism**—which curiously parallels the notion that legal outcomes are tightly constrained by legal reasoning—is just plain wrong. **Capitalist societies recognize** all **sorts of limitations** **on the rights of property owners**. Professor Singer‟s classic article catalogues a multitude of them.18 **The claim is not only false**, **it is a** dangerous **falsehood**. **To believe TIC in this sense is to limit in advance our aspirations for what social justice lawyering can accomplish**.

#### Abandoning policy discussion for epistemological questioning freezes action—it’s intellectual elitism

Jarvis 2k [Darryl Jarvis (Director of the Research Institute for International Risk and Lecturer in International Relations, The University of Sydney) 2000 “International relations and the challenge of postmodernism” p. 128-9]

More is the pity that such irrational and obviously abstruse debate should so occupy us at a time of great global turmoil.  That it does and continues to do so reflects our lack of judicious criteria for evaluating theory and, more importantly, the lack of attachment theorist have to the real world.  Certainly it is right and proper that we ponder what we ponder the depth of our theoretical imagination, engage in epistemological and ontological debate, and analyze the sociology of our knowledge.  But to suppose that this is the only talk on international theory, let alone the most important one, smacks of intellectual elitism and displays a certain contempt for those who search for guidance in their daily struggle as actors in international politics.  What does Ashley’s project, his deconstructive efforts, or valiant fight against positivism say to the truly marginalized, oppressed, and destitute?  How does it help solve the plight of the poor, the displaced refugees, the casualties of war, or the emrigres of death squads?  Does it in any way speak to those actions and thoughts comprise the policy and practice of international relations?  On all these questions one must answer no.  That is not to say, of course, that all theory should be judged by its technical rationality and problem solving capacity as Ashley forcefully argues.  But to suppose that problem solving technical theory is not necessary – or is in some way bad – is a contemptuous position that abrogates any hope of solving some of the nightmarish realities that millions confront daily.  As Holsti argues, we need ask of these theorists and their theories the ultimate question, “So What?”  To what purpose do they construct, problematize, destabilize, undermine, ridicule, and belittle modernist and rationalist approaches?  Does this get us any further, make the world any better, or enhance the human condition?  In what sense can this “debate towards bottomless pit of epistemology and metaphysics” be judged pertinent, relevant, helpful, or cogent to anyone other than those foolish enough to be scholastically excited by abstract and recondite debate?

#### Policy simulation is key to political activism—we learn the levers of power

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

#### Engaging the state is productive—that means discussions of fiat are valuable. Statism is inevitable—innovative engagement can redirect power for emancipation.

Martin and Pierce ’13 Deborah G. Martin, Joseph Pierce, “Reconceptualizing Resistance: Residuals of the State and Democratic Radical Pluralism,” Antipode, Vol. 45, Issue 1, pp. 61-79, January 2013, DOI: 10.1111/j.1467-8330.2012.00980.x

The state offers a complex set of power structures against and with which resistance struggles (Holloway 2005; Scott 1988; Tormey 2004). Indeed, Holloway (2005) sees the state as so entrenched in power relations such that any resistance in or through the state is irrevocably bound up in its power logic. We acknowledge state power as always present, but not necessarily as monolithic.2 Despite—or perhaps because of— the power relations inherent in state frameworks, it is in part through laws and state regulations that activists can achieve reworked economic relations such as worker ownership, community banks, or cooperative housing (DeFilippis 2004). Hackworth explicitly acknowledges the possibility of a “neo-Keynesian” resistance which seeks to maintain relatively left-leaning state functions. Ultimately, though, he dismisses the resistive potential of such “neo-Keynesian” efforts, arguing that they have yielded “highly limited” successes (2007:191). We argue, however, that focusing on a state's ordering functions [the “police” component of states; as in Rancière (2004)] may provide a lens for examining how resistance through the state might destabilize or subvert neoliberal hegemony. We articulate the notion of residuals, or mechanisms of the state that can, or have historically, been wielded to mitigate inequalities of capitalism. In order to explore this arena as potentially productive for resistance, we first consider radical democracy as an already-articulated conceptualization of neoliberal resistance (Laclau and Mouffe 1985; Purcell 2008). Radical democracy does not seek to enroll the state in resistance to capital, per se, but recognizes the simultaneous co-presence of a hegemonic (but always changing) state, and anti-hegemonic resistances. Radical Democracy: Responding to Hegemony? The concept of radical democracy provides a framework for articulating where residual state apparatuses stand amidst the myriad layers of state functions, power, and hegemony (cf Laclau and Mouffe 1985; Rancière 2004). We imagine a politics in which the state –whether capitalist or not— is always hegemonic, and thus always produces an outside or excluded that is resistant to the hegemonic order. Radical democracy as initially described by Laclau and Mouffe (1985) offered a theory of resistance—although they did not use that term—to capitalist hegemonies.3 Their goal was to identify a leftist, anti-hegemonic political project that did not rely on unitary categories such as class, in response to the identity politics of the 1970s to 1990s and post-structural theorizing of the absence of any common (structural or cultural) basis for political transformation. The theory of radical democracy posits that any order is an hegemonic order; the post-Marxist socialist project of Laclau and Mouffe seeks to destabilize the hegemonies of capitalism and work towards more democratic articulations that marginalize capital, even as forms of inequality may persist (Laclau and Mouffe 1985). Nonetheless, they can seek more articulations, more opportunities for social protest and struggle over multiple inequalities. Each struggle will produce—or seek to produce—new orders, or hegemonies, but these will be unseated by other struggles; this process describes a democracy not defined solely by a capitalist hegemony. As scholars have increasingly taken neoliberalism as the distinct form of contemporary capitalism in response to which resistance is engaged, they have explored the ways that its intense market logic constricts possibilities for traditional political activism to engage the state: the state is responsive primarily to the logic of facilitating the work of private capital (Brenner and Theodore 2002; Harvey 2005; Mitchell 2003; Peck and Tickell 2002; Purcell 2008). At the same time, however, neoliberalism opens possibilities for resistance because of its internal contradictions (like all hegemonic orders); it simultaneously engages the state to facilitate capital expansion, yet rhetorically rejects the state as an active player in market logics (Leitner, Peck and Sheppard 2007; Peck and Tickell 2002; Purcell 2008). In doing so, the door is opened for alternative projects and resistances. Purcell (2008) takes up the ideals of radical democracy to focus on how it might provide specific means for resistance to neoliberalism. He wants to take the insights of Laclau and Mouffe and apply them to a particular, empirically informed framework for engaged activism that actually interrupts, if not challenges (and mostly not, in his examples), neoliberalism. As a result, Purcell engages specifically with the idea of “chains of equivalence”, which he defines as “entities [which] must simultaneously be both different and the same” (2008:74). Political coalitions and actors with shared or complimentary challenges to neoliberalism—but distinct in character, goals, and identities—form networks of equivalence [Purcell (2008), drawing from Hardt and Negri (2004) as well as Laclau and Mouffe (1985)]. Simply put, networks of equivalence conceptually allow for multiple groups with different specific interests and identities to band together to challenge the hegemony of neoliberal capitalism. The crucial point for Purcell, however, and the key radical pluralist component is that those groups can work together without having to resolve their internal differences; they need only share a common questioning of the neoliberal prioritizing of private capital. They share a struggle, then, for a different hegemony (Laclau and Mouffe 1985; Purcell 2008). In the battle against global finance, for example, activists with different specific interests (agriculture or trade policy or environmental protections) confront the state in the form of police in the streets of Seattle or Cancun (Wainwright 2007); their objections are to the state policies and agreements which support and create frameworks for world trade. In Purcell's (2008) networks of equivalence in Seattle, a similar, yet more spatially circumscribed network of neighborhood community activists, environmental activists, and a Native American tribe work together to challenge the terms of the environmental clean-up of toxins in and around the Duwamish River. Their target is the corporate interests being held responsible for actually funding the clean-up. The agent helping to hold the corporate interests accountable is the Federal Environmental Protection Agency (EPA). Seattle area environmental activists have been able to form a “chain of equivalence” with the EPA in the Duwamish clean-up in part by inserting themselves into an EPA framework that seeks stakeholder input through a participatory planning structure. The shared interests of the EPA and environmental activists are not obvious or easy to negotiate; the EPA, as a bureaucracy with many actors situated within the US federal system, is positioned as a complex institutional agent. But its particular mandate with regard to environmental protection offers a difficult relation to capital, one sometimes allied with non-state actors seeking limits to capital. Purcell's (2008) account of this case is insightful and engaging. We are highly sympathetic to his project of conceptualizing resistance and, by connection, a better, more complete democracy. But we differ over some of the details—essential details—of how best to enact successful resistances. In his case study of the Duwamish River clean up in Seattle, Purcell (2008) cites government policies as the factor enabling community resistance and involvement. His account is historically detailed—and necessarily so, for the complexities of the state have everything to do with the sedimented and sometimes inherently contradictory nature of its policies and procedures. In brief, he points to the EPA, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (also known as “Superfund”), and associated environmental laws as a sort of “environmental Keynesianism” that the federal government enacted in the decade of the 1970s (through 1980) (Purcell 2008:137). For Purcell, the neoliberalisation of these laws is evident in the increasing local devolution of governance authority over particular Superfund sites, including his case of the Duwamish River, resulting in “a proliferation of ad hoc and special purpose entities [that] increasingly carries out the everyday decision-making in Superfund cleanups” (2008:137). At the same time, however, Purcell (2008:138) acknowledges “that such ‘flexibilization’ … tends to create political opportunities that social movements can exploit”. We want to engage the idea that such flexible—or Keynesian—tools of the state are levers that can force the state to act in ways that might be counter to capital and in the service of greater democracy. In particular, we hope for a more complex, and, we expect, more practically productive conceptualization of resistance in relation to the state. While Purcell (2008:38, 183, note 2,2) acknowledges resistive possibilities from engagement with the state, he also notes that “the state is fully imbricated in the project of neoliberalization” (a point also made elsewhere; cf Harvey 2005; Holloway 2005; Mitchell 2003; Smith 1996; Wainwright 2007). We do not disagree with the basic contention that the state regulates and administers a hegemonic political economic order of and for capital. But the state is complex; following the persuasive arguments of Laclau and Mouffe (1985) and the example of the EPA in Purcell (2008), the state ought to be conceptualized like any actor: as multifaceted, with many possible subjectivities in relation to any particular conflict. This complexity offers the possibility that the state can be a tool for resistance, one we explore further in the rest of this paper.

#### The master’s tools can be used to dismantle the master’s house

James 09

Robin M. James, Assistant Professor in the Philosophy Department at the University of North Carolina at Charlotte, Spring 2009, Hypatia, available via Wiley online library

In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

#### The law is malleable—debating it is the only way to affect change

Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

#### Intervening in the state is not weak reformism, but radical experimentation. Predetermining the government as an impenetrable structure repeats the worst of structuralist irresponsibility by needlessly bracketing leftist politics into irrelevance.

Connolly ’12 William E. Connolly, Krieger-Eisenhower Professor of Political Science at Johns Hopkins University, “Steps toward an Ecology of Late Capitalism,” Theory & Event, Vol. 15, Issue 1, 2012, Muse

A philosophy attending to the acceleration, expansion, irrationalities, interdependencies and fragilities of late capitalism suggests that we do not know with confidence, in advance of experimental action, just how far or fast changes in the systemic character of neoliberal capitalism can be made. The structures often seem solid and intractable, and indeed such a semblance may turn out to be true. Some may seem solid, infinitely absorptive, and intractable when they are in fact punctuated by hidden vulnerabilities, soft spots, uncertainties and potential lines of flight that become apparent as they are subjected to experimental action, upheaval, testing, and strain. Indeed, no ecology of late capitalism, given the variety of forces to which it is connected by a thousand pulleys, vibrations, impingements, dependencies, shocks and thin threads, can specify with supreme confidence the solidity or potential flexibility of the structures it seeks to change. The strength of structural theory, at its best, was in identifying institutional intersections that hold a system together; its conceit, at its worst, was the claim to know in advance how resistant those intersections are to potential change. Without adopting the opposite conceit, it seems important to pursue possible sites of strategic action that might open up room for productive change. Today it seems important to attend to the relation between the need for structural change and identification of multiple sites of potential action. You do not know precisely what you are doing when you participate in such a venture. You combine an experimental temper with the appreciation that living and acting into the future inevitably carries a shifting quotient of uncertainty with it. The following tentative judgments and sites of action may be pertinent.

## 1AC – Util (C + IPV + GC)

### Framework

#### Empiricism is key to avoid regress

Richards ’86 (Robert, “A Defense of Evolutionary Ethics,” Biology and Philosophy) bracketed for offensive language

This brief discussion of justification of ethical principles indicates how the concept of justification must, I believe, be employed. "To justify" means "to demonstrate that a proposition or system of propositions conforms to a set of acceptable rules, a set of acceptable factual propositions, or a set of acceptable practices. The order of justification is from rules to empirical propositions about beliefs and practices. That is, if rules serving as inference principles or the rules serving as premises (e.g., the Golden Rule) of a justifying argument are themselves put to the test, then they must be shown to conform either to still more general rules or to empirical propositions about common beliefs and practices. Barring an infinite regress, this procedure must end in what are regarded as acceptable beliefs or practices. Aristotle, for instance, justified the forms of syllogistic reasoning by showing that they made explicit the patterns employed in argument by rational men. Kant justified the categorical imperative and the postulates of practical reason by demonstrating, to his satisfaction, that they were the necessary conditions of common moral experience: that is, he justified normative principles by showing that their application to particular cases reproduced the common moral conclusions of 18th century German burgers and Pietists. If this is an accurate rendering of the concept of justification, then the justification of first moral principles and inference rules must ultimately lead to an appeal to the beliefs and practices of [people], which of course is an empirical appeal. So moral principles ultimately can be justified only by facts.

#### Phenomenal introspection reliably informs us of pain’s badness and pleasure’s goodness as an empirical basis for ethics

Sinhababu ’13 (Neil, National University of Singapore, “The epistemic argument for hedonism,” 2013)

The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.28 While one's phenomenology is often called one's “subjective experience”, e facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ ontologically dependent on attitudes towards it.” My yellow-experiences are objectively bright, so that anyone who thought my yellow-experiences were not bright would be mistaken. Pleasure similarly is objectively good – it is true that anyone's pleasure is good, and anyone who denies this is mistaken. As Mendola writes, “In the phenomenal value of phenomenal experience, we have a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states**,** I can know that others' pleasure is good. Of course, I cannot phenomenally introspect their pleasures any more than I can phenomenally introspect pleasures that I will experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it is like when others have exactly the experience I am having, I must think that they are having good experiences. If they have exactly the same experiences I am having, their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it will have the same intrinsic properties. Even though the only pleasure I can introspect is mine now, I should believe that pleasures experienced by others and myself at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### Thus, the standard is maximizing pleasure and minimizing pain.

### Advocacy

#### Plan: The United States federal government ought to ban private ownership of handguns in the United States. I reserve the right to clarify.

### Advantage 1 is Cartels

#### US gun supply spills over to Mexico—that arms drug wars—it’s try or die for a foundational shift in gun policy

Mehalko ’12 (Laura, "This is Gun Country: The International Implications of U.S. Gun Control Policy," Boston College International and Comparative Law Review 35.1 (2012): 297-330)

Mexican drug trafficking organizations are the largest providers of illicit drugs to the United States. They have also grown to rely on advanced, high-power weaponry and to use their nearly military-grade armament to maintain control over smuggling corridors, and local drug production areas. Cartels are also linked to nearly 40,000 deaths over the last five years, many of which were committed with guns originating in the United States. The United States is likely the most prevalent source of weapons for the increasingly violent cartels. The U.S. government estimates that nearly ninety percent of all weapons used in the drug war originate in the United States. An analysis of current gun control policy in the United States and Mexico suggests this is likely the case; Mexico has particularly strict gun control laws in contrast to the relatively lenient gun control regulation in the United States. Both countries have implemented domestic policies aimed at reducing the southward flow of arms into Mexico, yet so far have had little success. This Note argues that arms trafficking has been facilitated by current U.S. gun control policy, and it will likely continue without a foundational shift in either U.S. or international policy.

#### Cartels drive Mexican instability—they’re on the brink of a failed state

Pedigo ’12 (David, Senior Director of Technology at CEDIA Technology Council, “The Drug War and State Failure in Mexico,” http://research.monm.edu/mjur/files/2012/2012-7.pdf, Vitz)

Few topics are more relevant to the national security of the United States today than the crisis in Mexico, which threatens to create a failed state on the southern border. In 2009, noted international relations scholar John Mearsheimer listed the ongoing drug war in Mexico as the number one issue that had been overlooked by President Obama, saying that, “There is the very real possibility that Mexico will implode on Obama's watch and become a failed state, which would surely cause serious problems north of the Rio Grande.”1 This claim has been echoed by Steven David, another eminent scholar in the field of international relations, who states in his book, Cata- strophic Consequences, that, “there is no question that if violent instability engulfs Mexico, American vital interests would be threatened.”2 / While no single definition of a “failed state” currently exists, one of the most widely accepted indicators of state failure is what Max Weber re- ferred to as the “monopoly on the legitimate use of physical force” within a state’s territory. In other words, failed states emerge when the ultimate authority to provide security and enforce the rule of law comes from a power other than the state.3 By this qualification, Mexico certainly is not a failed state today, but it does exhibit many characteristics of a “captured state,” wherein the state itself is manipulated by other actors -- in this case drug cartels. There are also some regions throughout Mexico’s territory where drug cartels have more influence over the rule of law than the state, and can therefore be considered “failed provinces” or “failed cities.” In these regions, cartels freely murder mayors, police officers, and journalists that challenge their authority, some- times within feet of police posts. Not only is the Mexican state unable to pro- vide security for its population, but cartels have increasingly influenced government policy through intimidating, killing, or buying off state actors. As both Mearsheimer and David suggest, state failure in Mexico would have devastating effects for the United States. Some of the violence and lawlessness of the drug war in Mexico have already begun to leak across the border. In 2005, the governors of Arizona and New Mexico declared their border regions with Mexico to be a “disaster area” on the grounds that they were devastated by human smuggling, drug smuggling, kidnapping, murder, and destruction of property.4 There have also been recent concerns over southern Arizona be- coming a “no-go zone” controlled by drug traffickers.5 These instances lend credibility to the presupposition that “failed cities” like the ones in Mexico may begin to emerge in the United States as well if Mexico’s recent trends are not reversed.

#### Mexico instability causes disease, war, trafficking of women, and a regional domino effect—that escalates and causes extinction

Manwaring ’5 (Max G., Retired U.S. Army colonel and an Adjunct Professor of International Politics at Dickinson College, “venezuela’s hugo chávez, bolivarian socialism, and asymmetric warfare,” October 2005, pg. PUB628.pdf)

President Chávez also understands that the process leading to state failure is the most dangerous long-term security challenge facing the global community today. The argument in general is that failing and failed state status is the breeding ground for instability, criminality, insurgency, regional conflict, and terrorism. These conditions breed massive humanitarian disasters and major refugee flows. They can host “evil” networks of all kinds, whether they involve criminal business enterprise, narco-trafficking, or some form of ideological crusade such as *Bolivarianismo.* More specifically, these conditions spawn all kinds of things people in general do not like such as murder, kidnapping, corruption, intimidation, and destruction of infrastructure. These means of coercion and persuasion can spawn further human rights violations, torture, poverty, starvation, disease, the recruitment and use of child soldiers, trafficking in women and body parts, trafficking and proliferation of conventional weapons systems and WMD, genocide, ethnic cleansing, warlordism, and criminal anarchy. At the same time, these actions are usually unconfined and spill over into regional syndromes of poverty, destabilization, and conflict.62 Peru’s *Sendero Luminoso* calls violent and destructive activities that facilitate the processes of state failure “armed propaganda.” Drug cartels operating throughout the Andean Ridge of South America and elsewhere call these activities “business incentives.” Chávez considers these actions to be steps that must be taken to bring about the political conditions necessary to establish Latin American socialism for the 21st century.63 Thus, in addition to helping to provide wider latitude to further their tactical and operational objectives, state and nonstate actors’ strategic efforts are aimed at progressively lessening a targeted regime’s credibility and capability in terms of its ability and willingness to govern and develop its national territory and society. Chávez’s intent is to focus his primary attack politically and psychologically on selected Latin American governments’ ability and right to govern. In that context, he understands that popular perceptions of corruption, disenfranchisement, poverty, and lack of upward mobility limit the right and the ability of a given regime to conduct the business of the state. Until a given populace generally perceives that its government is dealing with these and other basic issues of political, economic, and social injustice fairly and effectively, instability and the threat of subverting or destroying such a government are real.64 But failing and failed states simply do not go away. Virtually anyone can take advantage of such an unstable situation. The tendency is that the best motivated and best armed organization on the scene will control that instability. As a consequence, failing and failed states become dysfunctional states, rogue states, criminal states, narco-states, or new people’s democracies. In connection with the creation of new people’s democracies, one can rest assured that Chávez and his Bolivarian populist allies will be available to provide money, arms, and leadership at any given opportunity. And, of course, the longer dysfunctional, rogue, criminal, and narco-states and people’s democracies persist, the more they and their associated problems endanger global security, peace, and prosperity.65

### Advantage 2 is Intimate Partner Violence

#### Status quo guns laws disproportionately harm survivors of IPV – reform is necessary

Everytown ’14 [Everytown for Gun Safety, “GUNS AND VIOLENCE AGAINST WOMEN: America's Uniquely Lethal Domestic Violence Problem”, 6/16/14]

Like many women who suffer domestic abuse, Zina Daniel had endured years of escalating attacks by her husband and finally sought a restraining order. Under federal law, this prohibited her husband from buying or possessing firearms, and for good reason. “His threats terrorize my every waking moment,” she wrote in her petition. “He said he would kill me if I left him or even contacted the police.”[1](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_1) Zina’s fear was justified: two days later her husband exploited  a loophole in our nation’s laws and bought a gun from an unlicensed seller on the website Armslist.com, evading a background check. Three days later Zina was dead. America’s weak gun laws failed Zina, just as they fail countless other American women each year. In theory, these laws are designed to protect women in Zina’s circumstances, by keeping guns out of the hands of domestic abusers. But in practice, the laws are poorly defined and poorly enforced, and the results are as predictable as they are devastating. Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.[2](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_2) When it comes to gun violence, the most dangerous place for a woman in the developed world is America. Domestic violence in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined.[3](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_3) And people with a history of committing domestic violence are five times more likely to subsequently murder an intimate partner when a firearm is in the house.[4](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_4) At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members.[5](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_5) And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.[6](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_6) Because of the risk that firearms pose when they intersect with domestic violence, a series of federal and state laws aim to keep guns out of the hands of the most dangerous domestic violence offenders. The strongest laws prohibit domestic abusers and stalkers from buying or possessing guns, require background checks for all gun sales, and create processes to ensure that abusers and stalkers surrender the guns already in their possession. When these laws are on the books and enforced properly, they save lives. In the past sixteen years, the background check system has kept hundreds of thousands of guns out of abusers’ hands and prevented countless crimes.[7](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_7) And in states that require background checks for all handgun sales, there are 38 percent fewer women shot to death by intimate partners.[8](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_8) But because of loopholes in these laws and failures to enforce them, they do too little to curb the uniquely lethal American problem of guns and violence against women. Four gaps in the law are particularly harmful: First, federal law does nothing to keep guns out of the hands of abusive dating partners or convicted stalkers. The federal laws prohibiting domestic abusers from buying or owning guns do not apply to dangerous people convicted of misdemeanor stalking offenses or to dating partners—even though more women in the U.S. are killed by their dating partners than by their spouses.[9](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_9) In Everytown’s analysis of mass shootings, 25 percent of perpetrators that targeted an intimate partner had never married them nor had a child together, and thus would not likely qualify as intimate partners under current law. Second, in 35 states, state law does not prohibit all people convicted of misdemeanor domestic violence crimes and all people subject to restraining orders from buying or using guns.[10](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_10) So while domestic abusers in those states cannot possess guns under federal law, local law enforcement and prosecutors do not have the tools they need to enforce those restrictions. Third, federal law (and the law in most states) allows domestic abusers and stalkers to easily evade gun prohibitions by purchasing guns from unlicensed, private sellers. Federal law only requires background checks for gun sales at licensed dealers. Sixteen states require checks on all handgun sales, but in the remaining states, prohibited abusers seeking to avoid a background check have little trouble purchasing a gun from an unlicensed seller they meet online or at a gun show. Prohibited domestic abusers are well aware of this loophole—and have taken advantage of it to deadly effect. In a first-of-its-kind investigation of illegal online gun sales, Mayors Against Illegal Guns found that 1 of 4 prohibited purchasers seeking guns online had a domestic violence arrest. Finally, forty-one states do not require all prohibited domestic abusers to relinquish guns they already own. Without a clear law on the books that provides an enforceable process by which offenders relinquish their firearms, it is too easy for dangerous abusers to keep their guns even after they commit offenses that prohibit them from having them. The strongest state laws establish a clear process that courts and law enforcement can use to make sure prohibited batterers turn in their guns, but far too many states lack these laws or do not enforce them adequately.

#### Aff solves – simple relinquishment requirements have seen a 25% reduction in IPV

Mascia ’15 (Jennifer Mascia, "Domestic Violence Offenders Abusers Frequently Get to Keep Their Guns. Here Are the Big Reasons Why.," Trace, October 26, 2015. FT)

A handful of states and cities have moved to close this gap in federal law with their own relinquishment requirements. Ten states mandate domestic violence misdemeanants hand over their guns, while 15 states require subjects of domestic violence restraining orders to do so. (Similar federal legislation was introduced in 2014 but did not pass.) Research shows that gun surrender laws have been successful: One 2009 study found that cities in states with relinquishment laws had 25 percent fewer domestic gun homicides compared to cities in states without them. In the 2013 book Reducing Gun Violence in America, Shannon Frattaroli and April M. Zeoli found that “would-be killers do not replace guns with other weapons,” and concluded that restricting firearms access for domestic abusers can save lives. “We know that most domestic violence homicides happen with firearms, and their presence increases risk of homicide,” Krista Niemczyk, policy manager at the California Partnership to End Domestic Violence, tells The Trace. “The impact firearms have on the level of abuse is really staggering.”

#### This outweighs self-protection— it’s not survivors of IPV can’t use guns, just that most choose not to

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Let us concede for the sake of argument that the combination of all of the alternative methods of self-defense that I have proposed would still be marginally less effective than handguns in protecting women against violence in the 10% or so of assaults that involve firearms. The inference to the conclusion that a handgun ban would decrease protection for women results from a comparison between a world in which handguns are banned, and an imaginary world in which most women arm themselves with handguns. In the actual world women may now legally own handguns, but the vast majority choose not to do so. The relevant comparison is between the actual world, in which handguns are used in hundreds of thousands of violent crimes every year, yet in which few women own handguns; and, on the other hand, a world in which a handgun ban substantially reduced the number of handguns owned by both women and their potential assaulters. Whatever protection would be lost by disarming the small number of women who currently own handguns is outweighed by the reduction in violence against women that would be effected by a handgun ban, which would take one of the most potent weapons out of the hands of many potential assaulters. It is true that 50% of those who own guns solely for defense are female.' However, far more men than women own guns." Given women's extra vulnerability, and the fact that there are now many more female-headed households than in the mid-sixties, one would expect more women to own guns. In fact, a Harris poll showed that gun ownership in female-headed households was less than a half of that in homes in which an adult male lived. 35 The indications are that women themselves, whatever their extra vulnerability may be, are generally unconvinced of the need to own handguns for self-defense. The alleged protection for women resulting from the defensive ownership of handguns, then, falls to provide a serious objection to a handgun ban. In contrast, throughout my paper I have detailed the substantial reduction in murder and violent crime that is likely to result from a handgun ban. Women, too, are the beneficiaries in a society in which far fewer of their loved ones are killed and maimed.

### Advantage 3 is Culture of Violence

#### Handgun violence is deeply ingrained in American culture to the point of normalization – easy availability of guns is the root cause

Kairys 07 [James B. Jacobs and David Kairys, Professor of Law, Temple University, “Debate, Can Handguns Be Effectively Regulated?”, 156 U. PA. L. REV. PENNUMBRA 188, 2007]

However, Professor Jacobs ignores or underplays the reality and significance of the easy availability of handguns on urban streets and, increasingly, on the streets of many suburban and rural communities—which is enabled by the lack of regulation and the surprisingly legal channeling of handguns to criminals and youth. The terrible toll handgun violence exacts on individuals, families, communities and cities is traceable to the regularly ignored, essentially unregulated, handgun marketing system. Professor Jacobs makes some good points—some handgun regulation proposals that have gotten widespread attention seem more feel-good than effective, and there is no easy fix. But much can and should be done. The main problem is what I have called the “regrettable normalcy” with which we regularly approach handgun violence, the pervasive, numbing acceptance that fifty handgun deaths a day is [are] a normal or inevitable aspect of life in the U.S.A.

#### The proliferation of guns has flooded inner city communities that creates an every-day war on blacks --- empowerment is impossible when even *survival* is in question

Firmin DeBrabander 15 [associate professor of philosophy at Maryland Institute College of Art, has written social and political commentary for numerous publications, including the Baltimore Sun, Common Dreams, Counterpunch, and the New York Times] “Do Guns Make Us Free?: Democracy and the Armed Society”, Yale University Press, 19 May 2015, FT

But this is far from the real thing. Gruesome Hollywood depictions spark deep, irrational fear of crime, but they do not communicate or reflect its real face, which is readily seen— if we care to look— in our inner cities and countless poor communities across America. While Americans eagerly devour spectacular bloodshed as entertainment— and use that to justify their need for a gun, indeed, many guns— hundreds of people meet an unglorious, unremarked death on the streets of cities like Baltimore every year. The television viewing public does not come to know the mean conditions of their demise, the quick, blunt ends of desperate lives. The fates of Baltimore’s murdered poor are hardly celebrated or studied by the media, and are instead belittled or swept under the rug by police and politicians. Suburbanites commute to work every day amidst the violence that afflicts Baltimore’s most desperate neighborhoods on either side of the highway; they flock to football and baseball games downtown, oblivious to the misery that rules the city’s roughest streets and how they are so surely insulated from it. For poor blacks— who are disproportionately affected by violent crime— the America they know can be a veritable war zone. According to a Bureau of Justice Statistics report, between the years 1976 and 2005, the homicide rate for white Americans was 4.8 per 100,000, but an astounding 36.9 [per 100,000] for blacks. 80 The United States Conference of Mayors, one of the loudest voices calling for gun control, noted in 2012 that “homicide is the leading cause of death for African American males between the ages of 15 and 24.” African Americans comprise just 15 percent of the nation’s child population, but “made up 45 percent of child gun deaths in 2008 and 2009,” the Children’s Defense Fund reports. 82 Many of our nation’s mayors, as well as many African Americans, complained following the Sandy Hook shootings, when the American public seemed newly aware of gun violence, that the constant flood of gun deaths in our inner cities is neglected and ignored. The Washington Post ran an article on residents of the most dangerous neighborhood in the District, noting their frustration that the killings “in mostly white, middle class Newtown, Connecticut” spurred political concern. “Twenty-six people died in Sandy Hook Elementary. In the District’s Sixth Police District, an area of fewer than 10 square miles … 19 lives were lost to gun violence last year and 55 people were wounded in shootings. The year before that, 22 people were killed and 35 were wounded. Eighty-eight lives were lost in the city last year.” 83 A quarter of Washington’s murders took place in one small part of the city, a neighborhood subjected to a merciless onslaught of violence. It is no surprise that inner-city residents tend to find the notion of “gun rights” a bit offensive. Of the homicide epidemic that afflicts the African American community at large, the Centers for Disease Control points out, “more than 90 percent of the violence is from other blacks, mostly from guns.” 84 As one Washington resident put it, “[guns] are for wars, and we have a war in the inner city.” 85 It is hardly conceivable that the rest of America would tolerate all the talk equating gun rights and freedom if middle-class whites were killing one another at similar rates.

#### **A masculinized gun culture causes racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower**

Gahman ’14 (Levi, University of British Columbia, “Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas,” *Gender, Place & Culture: A Journal of Feminist Geography* 2014, Academia) OS

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger sociopolitical structures that influence the decisions people are allowed to make. As such, the interlocking influences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergymembers, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reification of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reaffirmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualifiers noting that ‘safety and respect’ are first and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that firearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a rifle that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signifies a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow 1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codifies their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

#### Aff causes a long term *cultural shift* that bolsters solvency

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

#### A handgun ban reduces violence and decreases the illicit market

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

But this does not resolve the issue, for it does not establish what gun control advocates claim it shows, namely, that gun control is an effective way of substantially lessening the murder rate. First, a statistical correlation shows that two things are linked, but it does not tell us if the first caused the second, the second caused the first, or if there is some third factor which caused both. Second, even if the items are causally related, we do not know that changing the cause will automatically and straightforwardly change the effect since another factor might intervene to sustain the effect. Gun advocates proffer their own armchair explanation for the correlations: These correlations reflect the character of the respective social and political systems. The European countries where murder rates are lower have more social solidarity and are more heterogeneous than the United States. Whether these social factors explain all the correlation is debatable, but I am confident they explain some of it. Were the United States to regulate guns as tightly as most European countries, our murder rates would arguably fall, but they would not immediately plummet to their levels. We might settle the issue if we conducted controlled experiments, randomly dividing our population in half, giving half of them guns, removing all the guns from the other half, and then monitoring the murder rate. Of course, that would be morally unacceptable, politically unrealistic, and probably even scientifically unachievable. Before we had enough time to exclude all possible intervening causes, sufficient time might have elapsed so that new intervening causes could have emerged. But we are not in the dark. We have empirical evidence that helps adjudicate between competing explanations of the correlation. First, we have empirical evidence, bolstered by armchair arguments, that guns are more lethal than other weapons. Some claim the ratio is 5:1; no estimates are lower than 2:1 (Reiss, A. J., Jr. and Roth, J. A. 1993: 260). This partly explains the strong correlation between guns and homicides. If people get angry the same number of times, those using the most lethal weapons are more likely to kill their victims. Second, the nature of secondary gun markets helps explain how the widespread availability of guns increases crime in general, and homicides in specific. Various opponents of gun control claim that "If we outlaw guns, only outlaws will have guns." Armchair arguments suggest why this is a silly claim. Where, one might ask, do criminals get their guns? They often steal them or buy them from those who purchased them legally. Even guns obtained from other criminals are usually traceable to people who purchased them legally. Empirical evidence supports this armchair supposition. Most criminals report having stolen their guns, received them from a friend or family member, or purchased them from someone who had stolen it. At least half a million guns are stolen each year (Cook, P. J. et al. 1995: 81), and these swell the numbers of guns available illegally. Not only does the primary (legal) market effect the availability of guns on secondary markets, it also affects the price of guns on those markets, much "like the analogous markets for motor vehicles or prescription drugs" (Cook, P. J. et al. 1995: 71). As we restrict availability of guns in the primary market, the supply of guns in the secondary markets decreases and their cost increases (Cook, P. J. et al. 1995: 73). This increase in cost will diminish teenagers' ability to obtain guns, since they are least able to afford hefty prices. Since teenagers commit most deadly crimes, decreasing the availability of legal guns will thereby decrease the number of homicides. Conversely, having huge numbers of legally available guns increases the number of guns on secondary markets and typically lowers their price. This makes it easier for prospective criminals, including teenagers, to obtain guns. Third, having a gun around the house (or on the person) - even for self-protection - apparently increases the chance that someone in the family will kill themselves with the gun, or will be the victim of a homicide or an accident. One study found that "for every time a gun in the home was involved in a self-protection homicide, they noted 1.3 unintentional deaths, 4.5 criminal homicides, and 37 firearm suicides" (Reiss, A. J., Jr. and Roth, J. A. 1993: 267). This implies that for every case where someone in a gun-owning household kills an intruder to thwart a life-threatening attack, nearly 43 people in similar households will die from a gunshot. Taken together the evidence does not prove that widespread availability of guns increases the number of homicides. However, that empirical evidence, bolstered by earlier armchair arguments, makes the claim highly plausible.

### Underview

#### 1] Let us weigh the fiated implications of the plan against the alternative—a) key to aff engagement, since otherwise they moot the entirety of the 1AC and I’m forced to re-establish offense in the 1AR which exacerbates side bias, b) stasis point—ensures the plan text remains the stable locus of argumentation—key to reciprocity since otherwise they can just critique 1 tiny thing I did in the 1AC, and key to clash since the discussion is centered and predictable which solves irresolvable clash of civilizations debates c) prefer concrete impacts—other strategies are methods of abstraction that distract us from real-world consequences

#### 2] The role of the ballot is to vote for the best policy option—critical academia that doesn’t engage politics makes efficacy impossible

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### 3] Prefer the material impacts of the aff over racist history—history is important but overemphasizing it paralyzes action—also, not all gun bans are racist

Winkler ’13 (Adam, Professor @ UCLA Law School, “Gun Control is ‘Racist’?” New Republic, 2013)

Of course, not every gun law in American history was motivated by racism. In fact, some of our earliest gun laws had nothing to do with prejudice. After 1820, for instance, a wave of laws swept through the South and Midwest barring people from carrying concealed weapons. These laws weren't racist in origin; blacks in many of these states were already prohibited from even owning a gun. **The target of concealed carry laws was white people**, namely violence-prone men who were a bit too eager to defend their honor by whipping out their guns. These laws, which might be thought of as the first modern gun control laws, had their origin in reducing criminal violence among whites. Moreover, Keene's claim that gun control has racist roots is not made to correct the historical record. He uses that history to raise doubts about President Obama's proposals for background checks and restrictions on high-capacity magazines and assault weapons. Of course, **there is no evidence [that gun control]** any of these laws **are motivated by** even the hint **of racism. To suggest that we shouldn't adopt any gun regulations** today **because our ancestors had racist gun laws is**, to be generous, far-fetched**. Property [and]** law was once profoundly racist, allowing racially restrictive covenants; **voting law** was **[were] once profoundly racist**, allowing literacy tests; marriage law was once profoundly racist, allowing no interracial marriage. **Does that mean we should never have** laws regulating property, **voting**, or marriage? In these other areas of law, such a claim would be patently absurd. Yet in the minds of today's **NRA leaders, that's what passes for logic.**

#### 4] Statism good—the master’s tools can be used to dismantle the master’s house—the state is inevitable: we should learn to work within it

James 09 (Robin M. James, Assistant Professor in the Philosophy Department at the University of North Carolina at Charlotte, Spring 2009, Hypatia, available via Wiley online library)

In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

## 1AC – SV

### Framework

#### The standard is minimizing structural barriers, defined as alleviating the material conditions that commit structural violence on marginalized groups.

#### 1] Structural violence is based in moral exclusion, which is fundamentally flawed because exclusion is not based on dessert but rather on arbitrarily perceived differences.

Winter and Leighton 99 |Deborah DuNann Winter and Dana C. Leighton. Winter|[Psychologist that specializes in Social Psych, Counseling Psych, Historical and Contemporary Issues, Peace Psychology. Leighton: PhD graduate student in the Psychology Department at the University of Arkansas. Knowledgable in the fields of social psychology, peace psychology, and justice and intergroup responses to transgressions of justice] “Peace, conflict, and violence: Peace psychology in the 21st century.” Pg 4-5

Finally, to recognize the operation of structural violence forces us to ask questions about how and why we tolerate it, questions which often have painful answers for the privileged elite who unconsciously support it. A final question of this section is how and why we allow ourselves to be so oblivious to structural violence. Susan Opotow offers an intriguing set of answers, in her article Social Injustice. She argues that our normal perceptual cognitive processes divide people into in-groups and out-groups. Those outside our group lie outside our scope of justice. Injustice that would be instantaneously confronted if it occurred to someone we love or know is barely noticed if it occurs to strangers or those who are invisible or irrelevant. We do not seem to be able to open our minds and our hearts to everyone, so we draw conceptual lines between those who are in and out of our moral circle. Those who fall outside are morally excluded, and become either invisible, or demeaned in some way so that we do not have to acknowledge the injustice they suffer. Moral exclusion is a human failing, but Opotow argues convincingly that it is an outcome of everyday social cognition. To reduce its nefarious effects, we must be vigilant in noticing and listening to oppressed, invisible, outsiders. Inclusionary thinking can be fostered by relationships, communication, and appreciation of diversity. Like Opotow, all the authors in this section point out that structural violence is not inevitable if we become aware of its operation, and build systematic ways to mitigate its effects. Learning about structural violence may be discouraging, overwhelming, or maddening, but these papers encourage us to step beyond guilt and anger, and begin to think about how to reduce structural violence. All the authors in this section note that the same structures (such as global communication and normal social cognition) which feed structural violence, can also be used to empower citizens to reduce it. In the long run, reducing structural violence by reclaiming neighborhoods, demanding social justice and living wages, providing prenatal care, alleviating sexism, and celebrating local cultures, will be our most surefooted path to building lasting peace.

#### 2] Abstract theories of justice that strive towards an ideal ignore systems of oppression---instead we should adopt non-ideal theories that recognize current injustice, which requires positive obligations

Mills ’09 (C. W. (2009), Rawls on Race/Race in Rawls. The Southern Journal of Philosophy, 47: 161–184)

Now how can this ideal—a society not merely without a past history of racism but without races themselves—serve to adjudicate the merits of competing policies aimed at correcting for a long history of white supremacy manifest in Native American expropriation, African slavery, residential and educational segregation, large differentials in income and huge differentials in wealth, nonwhite underrepresentation in high-prestige occupations and overrepresentation in the prison system, contested national narratives and cultural representations, widespread white evasion and bad faith on issues of their racial privilege, and a corresponding hostile white backlash against (what remains of) those mild corrective measures already implemented? Obviously, it cannot. As Thomas Nagel concedes: “Ideal theory enables you to say when a society is unjust, because it falls short of the ideal. But it does not tell you what to do if, as is almost always the case, you find yourself in an unjust society, and want to correct that injustice” (2003a, 82). Ideal theory represents an unattainable target that would require us to roll back the clock and start over. So in a sense it is an ideal with little or no practical worth. What is required is the nonideal (rectificatory) ideal that starts from the reality of these injustices and then seeks some fair means of correcting for them, recognizing that in most cases the original prediscrimination situation (even if it can be intelligibly characterized and stipulated) cannot be restored. Trying to rectify systemic black disadvantage through affirmative action is not the equivalent of not discriminating against blacks, especially when there are no blacks to be discriminated against. Far from being indispensable to the elaboration of nonideal theory, ideal theory would have been revealed to be largely useless for it. But the situation is worse than that. As the example just given illustrates, it is not merely a matter of an ideal with problems of operationalization and relevance, but of an ideal likely to lend itself more readily to retrograde political agendas. If the ideal ideal rather than the rectificatory ideal is to guide us, then a world without races and any kind of distinctiondrawing by race may seem to be an attractive goal. One takes the ideal to be colorblind nondiscrimination, as appropriate for a society beginning from the state of nature, and then—completely ignoring the nonideal history that has given whites a systemic illicit advantage over people of color—conflates together as “discrimination” all attempts to draw racial distinctions for public policy goals, no matter what their motivation, on the grounds that this perpetuates race and invidious differential treatment by race. In the magisterial judgment of Chief Justice John Roberts in the June 2007 Supreme Court decision on the Seattle and Louisville cases where schools were using race as a factor to maintain diversity, “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race,”6 a statement achieving the remarkable feat of depicting not merely as true, but as tautologically true, the equating of Jim Crow segregation and the attempt to remedy Jim Crow tion! What is ideally called for under ideal circumstances is not, or at least is not necessarily, what is ideally called for under nonideal circumstances. Claiming that all we need to do is to cease (what is here characterized as) discrimination ignores the differential advantages and privileges that have accumulated in the white population because of the past history of discrimination. So the defense in terms of ideal theory is doubly problematic. In the first place, ideal theory was never supposed to be an end in itself, but a means to improving our handling of nonideal matters, and the fact that Rawls and his disciples and commentators have for the most part stayed in the realm of the ideal represents an evasion of the imperative of dealing with what were supposed to be the really pressing issues. And in the second place, it is questionable in any case how useful the ideal ideal in the Rawlsian sense is or ever would have been in assisting this task. So it is not merely that ideal theory has not come to the aid of those dealing with nonideal injustice but that it was unlikely to have been of much help when and if it ever did arrive.

#### 3] Debate should deal with real-world consequences—ideal theories ignore the concrete nature of the world and legitimize oppression.

Curry ’14 (Dr. Tommy J. Curry, “The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century”, Victory Briefs, 2014, FT)

**Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue**, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” At the most general level, the conceptual chasm between what emerges as actual problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems theoretically—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is actual (in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,” so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to only do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

### Advocacy

#### The United States federal government will prohibit the ownership of private handguns and implement a reimbursement policy to collect handguns currently in circulation. I reserve the right to clarify.

Etzioni and Hellend ’92 [Amitai Etzioni and Steven Hellend, “The Case for Domestic Disarmament”, The Communitarian Network, 1992]

PROPOSED HANDGUN LEGISLATION Prohibits the importation, exportation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns. Establishes a "grace period" during which time handguns may be turned into any law enforcement agency with impunity and for reimbursement at the greater of either $25 or the fair market value of the gun. Allows an exception for: \* agencies of federal, state, or local government (military and law enforcement) \* collectors of antique (nonserviceable) firearms \* federally-licensed handgun sporting clubs; the clubs must be founded for bonafide target or sport shooting; must maintain possession and control of the handguns used by its members; must have procedures and facilities for keeping the handguns secure when not in a local law enforcement facility; and may not have as members persons whose membership would violate state of federal law \* federally-licensed professional security guard services [operating with similar conditions as those set for handgun clubs] Sets up penalties of up to $5,000, or up to 5 years imprisonment, or both, for violation of the provisions of the Act. We suggest the following friendly amendment to Senator Chafee's proposed legislation: Extend the above prohibitions to ammunition for handguns, allow for the exceptions to apply also to ammunition, and establish a "grace period" during which those who turn over ammunition to any law enforcement agency would be reimbursed at the fair market value.

### Contention 1 is Intimate Partner Violence

#### Status quo American guns laws disproportionately harm victims of intimate partner violence – reform is necessary

Everytown ’14 [Everytown for Gun Safety, “GUNS AND VIOLENCE AGAINST WOMEN: America's Uniquely Lethal Domestic Violence Problem”, 6/16/14]

Like many women who suffer domestic abuse, Zina Daniel had endured years of escalating attacks by her husband and finally sought a restraining order. Under federal law, this prohibited her husband from buying or possessing firearms, and for good reason. “His threats terrorize my every waking moment,” she wrote in her petition. “He said he would kill me if I left him or even contacted the police.”[1](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_1) Zina’s fear was justified: two days later her husband exploited  a loophole in our nation’s laws and bought a gun from an unlicensed seller on the website Armslist.com, evading a background check. Three days later Zina was dead. America’s weak gun laws failed Zina, just as they fail countless other American women each year. In theory, these laws are designed to protect women in Zina’s circumstances, by keeping guns out of the hands of domestic abusers. But in practice, the laws are poorly defined and poorly enforced, and the results are as predictable as they are devastating. Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.[2](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_2) When it comes to gun violence, the most dangerous place for a woman in the developed world is America. Domestic violence in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined.[3](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_3) And people with a history of committing domestic violence are five times more likely to subsequently murder an intimate partner when a firearm is in the house.[4](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_4) At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members.[5](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_5) And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.[6](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_6) Because of the risk that firearms pose when they intersect with domestic violence, a series of federal and state laws aim to keep guns out of the hands of the most dangerous domestic violence offenders. The strongest laws prohibit domestic abusers and stalkers from buying or possessing guns, require background checks for all gun sales, and create processes to ensure that abusers and stalkers surrender the guns already in their possession. When these laws are on the books and enforced properly, they save lives. In the past sixteen years, the background check system has kept hundreds of thousands of guns out of abusers’ hands and prevented countless crimes.[7](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_7) And in states that require background checks for all handgun sales, there are 38 percent fewer women shot to death by intimate partners.[8](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_8) But because of loopholes in these laws and failures to enforce them, they do too little to curb the uniquely lethal American problem of guns and violence against women. Four gaps in the law are particularly harmful: First, federal law does nothing to keep guns out of the hands of abusive dating partners or convicted stalkers. The federal laws prohibiting domestic abusers from buying or owning guns do not apply to dangerous people convicted of misdemeanor stalking offenses or to dating partners—even though more women in the U.S. are killed by their dating partners than by their spouses.[9](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_9) In Everytown’s analysis of mass shootings, 25 percent of perpetrators that targeted an intimate partner had never married them nor had a child together, and thus would not likely qualify as intimate partners under current law. Second, in 35 states, state law does not prohibit all people convicted of misdemeanor domestic violence crimes and all people subject to restraining orders from buying or using guns.[10](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_10) So while domestic abusers in those states cannot possess guns under federal law, local law enforcement and prosecutors do not have the tools they need to enforce those restrictions. Third, federal law (and the law in most states) allows domestic abusers and stalkers to easily evade gun prohibitions by purchasing guns from unlicensed, private sellers. Federal law only requires background checks for gun sales at licensed dealers. Sixteen states require checks on all handgun sales, but in the remaining states, prohibited abusers seeking to avoid a background check have little trouble purchasing a gun from an unlicensed seller they meet online or at a gun show. Prohibited domestic abusers are well aware of this loophole—and have taken advantage of it to deadly effect. In a first-of-its-kind investigation of illegal online gun sales, Mayors Against Illegal Guns found that 1 of 4 prohibited purchasers seeking guns online had a domestic violence arrest. Finally, forty-one states do not require all prohibited domestic abusers to relinquish guns they already own. Without a clear law on the books that provides an enforceable process by which offenders relinquish their firearms, it is too easy for dangerous abusers to keep their guns even after they commit offenses that prohibit them from having them. The strongest state laws establish a clear process that courts and law enforcement can use to make sure prohibited batterers turn in their guns, but far too many states lack these laws or do not enforce them adequately.

#### Gun control is a critical feminist issue – the aff checks back against misogynistic tendencies in American culture and reduces violence.

Cheung ’15 [[Kylie](http://www.bustle.com/authors/1079-kylie-cheung), News & Politics writer for Bustle, “Why Gun Control Is A Feminist Issue, Because Mass Shootings Disproportionately Target Women”, 10/5/2015]

On Thursday, yet another mass shooting occurred, this time on the Umpqua Community College campus. The shooting resulted in 10 deaths, including the gunman, and a renewed national dialogue around the need for gun control. Though often discussed from the crucial angles of public safety and mental health, [gun control is seldom regarded as the feminist issue](http://www.theguardian.com/commentisfree/2015/sep/16/many-shootings-not-called-by-proper-name-domestic-violence) it arguably is, The Guardian points out. It's rarely taken into account that not only are many acts of [gun violence performed in the context of domestic violence](http://www.bloomberg.com/politics/articles/2015-07-22/will-congress-link-domestic-violence-with-gun-control-), according to Bloomberg, but some recent mass shootings have also been reportedly motivated by misogyny. Some psychologists have even identified pervasive societal concepts about hyper-masculinity as motivating factors in mass shootings, which are predominantly carried out by male shooters. Allowing men with histories of domestic abuse to obtain guns, or not performing thorough background checks that could reveal violent histories, exposes women to be disproportionately victimized by gun violence. A study published in 2013 by the University of Washington revealed that a strong majority of [mass shootings in America were carried out by white males](http://jmm.sagepub.com/content/17/1/67.abstract) and found a ["correlation between feelings of entitlement among white males and homicidal revenge against a specific demographic."](http://www.vice.com/read/why-are-so-many-mass-shootings-committed-by-young-white-men-623) One of feminism's overarching goals is to check the destructive consequences of male and racial privilege in society, and according to the 2013 study, gun violence is arguably among these. Simultaneously, in many recent cases, the "specific demographic" in question is often racial minorities or women. In July, after leading a mass shooting at a screening of Trainwreck in a movie theater in Lafayette, Louisiana, it was revealed that John Russell Houser, the gunman identified by police, had a [history of violence toward his wife and daughter](http://mic.com/articles/122862/here-s-what-we-know-about-louisiana-shooter-john-russell-houser-s-online-presence) and misogynistic tendencies that potentially motivated him to carry out the shooting. According to the Associated Press, Houser's estranged wife once had to remove guns from their home and had him committed, alleging he was "[a danger to himself and others](http://bigstory.ap.org/article/7f781696f2e64df8848274d07759f3a1/latest-motel-room-searched-after-movie-theater-shooting)" and citing his "threatening behavior" in protesting their daughter's wedding. Although Houser never directly proclaimed or recorded his motive, it's certainly worth noting that he selected the predominantly female audience of Trainwreck, a feminist comedy written and produced by a famous feminist comedian, to conduct his shooting spree. [Houser legally obtained the gun](http://www.cnn.com/2015/07/24/us/louisiana-theater-shooting/) that he used to kill three (including himself) and injure nine, according to CNN, despite a history of allegations of threatening his wife and daughter, mental health issues, and posts inciting religious extremism from social media accounts associated with him. In some of these posts, Houser seems to have praised the anti-LGBTQ Westboro Baptist Church and shared links to misogynistic web pages discussing the roles of women in the church. The International Business Times reports that according to CNN investigative correspondent Drew Griffin, a [background check had been performed on Houser](http://www.ibtimes.com/how-did-lafayette-shooter-john-russell-houser-purchase-gun-known-history-mental-2024607) prior to selling him firearms, but his record lacked any convictions for serious crimes, despite domestic violence allegations and minor legal issues. Thus, Houser simply did not raise any red flags on the "instant background checks" performed on him. Griffin's findings points out two immediate concerns: the first being that domestic violence simply isn't taken seriously enough, and the second being that in many cases, background checks for gun purchases aren't thorough enough. Two women paid the price for gun control shortcomings in a shooting that was potentially motivated by one man's misogyny. In May 2014, 22-year-old Elliot Rodger killed six and injured 14 in the notorious Isla Vista shootings in California, as he attempted to carry out his["retribution" against women for rejecting him](http://www.cnn.com/2014/05/25/justice/california-shooting-revelations/), as well as sexually active men he envied. In a disturbing video Rodger posted prior to the shootings, he claimed he would "[slaughter every single spoiled, stuck-up, blond slut [he saw]](http://www.latimes.com/local/lanow/la-me-ln-transcript-ucsb-shootings-video-20140524-story.html)," according to the LA Times. In the video, Rodger also voiced his sense of entitlement to sexual favors from women, believing all women deserved to be punished for "rejecting" him. In a 140-page manifesto, Rodger went so far as to propose all women be kept in concentration camps, as if it weren't clear enough his actions were rooted in deep-seated misogyny. According to the Los Angeles Times, all three [guns registered under Rodger's name had been obtained legally](http://www.latimes.com/local/lanow/la-me-ln-isla-vista-shooting-witnesses-describe-gunman-20140524-story.html). Parents of Rodger's victims placed blame on the NRA and politicians above Rodger himself for not carrying out safe gun control regulation, and gun control proponents pointed out that doctors as well as Rodger's parents had [issued warnings about his mental health](http://www.nbcnews.com/storyline/isla-vista-rampage/isla-vista-tragedy-prompts-haunting-questions-n115906), according to NBC News. The Isla Vista shootings serve as a clearer example of how gun control could prevent violence that disproportionately targets women. More recently, in September, two Delta State University professors were shot and killed by one professor's live-in partner, identified as Shannon Lamb.Guardian columnist Jessica Valenti pointed out that the shooting was [rarely referred to the act of domestic violence](http://www.theguardian.com/commentisfree/2015/sep/16/many-shootings-not-called-by-proper-name-domestic-violence) that it was. "Until we start talking seriously about the intersection of gun violence and intimate partner violence, we will continue to watch as murders — many of them preventable — are perpetrated again and again," Valenti writes. And indeed, according to Bloomberg, of all women murdered by intimate partners between 2001 and 2012, 55 percent were killed with guns. Bloomberg also reports that women in the United States are 11 times more likely to be killed with guns than women in any other "high-income country." Most disturbing of all, a strong [majority of guns involved in such acts of violence are obtained entirely legally](http://www.bustle.com/articles/114372-this-shocking-infographic-about-mass-shootings-shows-just-how-many-legal-guns-are-involved). Obviously, women aren't the only people affected by gun violence, nor are they the only group who would benefit from stronger gun control laws. Domestic violence appears to be more of a strong risk factor of loose gun control than a direct consequence of it. However, there is no denying that gunmen involved in mass shootings are frequently white males: between 1982 and 2012, [all but one mass shooter were male, and in 44 of 62 case, the shooter was a white male](http://www.motherjones.com/politics/2012/07/mass-shootings-map). The desire to kill many is often rooted in some mental instability, but as Tanya Luhrmann, an anthropologist at Stanford University, points out, ["Mental illness actually does reflect the local culture."](http://www.huffingtonpost.com/soraya-chemaly/mass-killings-in-the-us-w_b_8234322.html) Tendencies toward violence are subtly rooted in how men are brought up by society, which arguably glorifies aggression in males. And as multiple studies reveal, a sense of born entitlement develops naturally in boys, who are more likely to feel unjustly wronged and respond with violence than females who encounter rejection and hardship. The simple fact is that an ingrained sense of male entitlement isn't going anywhere, but gun control is a critical feminist issue as it could check the tragic consequences of male entitlement turned violent.

### Contention 2 is Suicide

#### Guns enable impulsive, immediate, and deadly suicides—acknowledging gun possession as a risk factor is key—we must shift the discussion away from euphemisms

Mariani ’15 [Mike, Columnist at Newsweek, “America’s Biggest Gun Problem Is Suicide”, Newsweek, 11/21/15]

There’s a [culture of euphemism](https://www.psychologytoday.com/blog/struck-living/201005/dont-omit-the-obit) in obituaries involving gun suicide; “died suddenly,” “died at home” and "passed unexpectedly" are all used to cover an ugly fact. This systemic aversion to the topic has made it difficult for the general population to understand how suicide and gun ownership overlap, and enables firearm suicide to flourish in darkness. For example, it’s rarely something people consider when contemplating why someone took his own life; we don’t say “he owned a gun” the way we cite things like clinical depression, financial woes and drug problems—but we probably should. Evidence suggests guns are not just a means of executing a hard and fast decision to kill oneself; they are a risk factor that should be considered alongside mental illness, substance abuse and family history. David Hemenway, a professor of health policy and the director of the [Harvard Injury Control Research Center](http://www.hsph.harvard.edu/hicrc/) (HICRC), has studied firearm violence and the relationship between guns and suicide in the U.S. for 15 years. In that time, he has amassed an abundance of statistical evidence indicating that access to guns increases the chances of suicide. “Why does Arizona have more suicides than Massachusetts?” he asks. "Is it mental health, is it diet, or is it alcohol or smoking, or is it depression?” It’s none of those. The one thing that explains different rates of suicide across regions, states and even cities is simple: guns. In a [study published in 2008](http://www.nejm.org/doi/full/10.1056/NEJMp0805923) in the New England Journal of Medicine, Hemenway and his co-authors found that men were 3.7 times more likely to die by gun suicide in the 15 states with the highest rates of gun ownership compared to the six states with the lowest. Women in the states with the highest gun ownership were 7.9 times more likely to kill themselves with a firearm. And in a [2014 paper](http://mason.gmu.edu/~atabarro/BriggsTabarrokFirearmsSuicide.pdf) published in the International Review of Law and Economics, Justin Briggs and Alexander Tabarrok found that for every 1 percentage point increase in household gun ownership, suicide rates go up between 0.5 and 0.9 percent. The Briggs-Tabarrok effect, as it became known, starkly illustrates how in America having more guns leads to more suicides. One of the great misconceptions about suicide attempters is that, after considerable deliberation, they have reached a point of no return. In fact, in many cases the complete opposite is true. In an [oft-cited 2001 study](http://www.ncbi.nlm.nih.gov/pubmed/11924695) published in Suicide & Life-Threatening Behavior, 153 survivors of suicide attempts were asked when they had made the decision to kill themselves. Seventy percent of the responders said they had decided to kill themselves within an hour of the actual attempt; 24 percent said within less than five minutes. This phenomenon is known as suicide impulsivity, and it seems to find its perfect match in firearms. Shooting yourself does not entail the preparation of overdosing on pills or the grisly persistence of slitting your wrists. It is immediate and requires zero protracted thought: the perfect mechanism for the instant fulfillment of what might otherwise be a fleeting inclination. The problem is that firearms are frighteningly lethal. The most common method of attempting suicide, overdosing on drugs, has a completion rate of just 3 percent (in other words, 97 percent of attempters survive). Gun suicide, by comparison, has a completion rate of 85 percent. This is surely gun violence at its most virulent—Berettas and Glock 17s crystallizing passing impulses into something horrifically permanent—and yet it is rarely, if ever, acknowledged as a gun issue. For years, the HICRC has been trying to change this through its [“Means Matter” campaign](http://www.hsph.harvard.edu/means-matter/means-matter/), a suicide prevention initiative focused on what is called "means restriction.” The idea is that if we can restrict the availability of lethal means for individuals showing warning signs of suicide, we can stymie impulsive attempters until the desire passes, saving lives. There are convincing precedents. One is what suicide prevention experts refer to as the "British coal-gas story." In the 1950s, domestic gas in the United Kingdom contained high levels of carbon monoxide, and self-administered gas inhalation poisoning was the leading means of suicide in the country. By the end of the decade, carbon monoxide poisoning accounted for roughly 2,500 suicides a year, slightly under half the nation’s total. In the 1960s, the British government undertook the detoxification of domestic gas, replacing the coal-derived gas high in carbon monoxide with nontoxic natural gas. By the early 1970s, the country's suicide rate had dropped by almost a third. Even more directly relevant is the success of an [Israeli Defense Forces policy change](http://www.ncbi.nlm.nih.gov/pubmed/21034205) that went into effect in 2006. That year, in an effort to prevent suicides in the military—90 percent of which occurred with firearms, often when soldiers were on weekend leave—the military didn’t let soldiers take their firearms off base on weekends. The suicide rate fell by 40 percent. Despite those impressive results, codifying some form of means restriction into law in the U.S. seems impossible. Here’s where politics enters the fray. Firearm suicide by its very nature is a confluence of two social issues—gun rights and suicide—that are most often discussed and understood in isolation, the former a polarizing political wedge calcified along party lines, and the latter typically interpreted in the context of mental health and psychiatric illness. Truly substantive means restriction—imposing significantly more stringent background checks on handguns, for example—would require a level of political consensus that is just not possible in a U.S. where Second Amendment furor is as strong as ever. Even small compromises between gun owners and activists are fought over with vehemence. Take trigger locks, for example, the small metal devices that [clamp around a gun’s trigger](http://smartgunlaws.org/safe-storage-gun-locks-policy-summary/). Those fighting for means restriction argue that by legally requiring guns to be stored in a locked container or secured with a trigger lock, you could create enough of an impediment to gun access that it would significantly cut down on suicide rates—all without actually taking people’s guns away. But Massachusetts is the only state with such a [legal requirement](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section131L), and in 2008’s District of Columbia v. Heller, the Supreme Court struck down a portion of the Firearms Control Regulations Act that required all firearms in Washington, D.C.—the city with some of the strictest gun laws in the country—to be kept unloaded or trigger locked, deeming it a violation of the Second Amendment. The fight over trigger locks might seem petty, but the reality is that even incremental limitations on gun access could have dramatic effects on suicide rates. That’s because people can and do usually overcome the desire to kill themselves. Dese’Rae L. Stage, 32, a photographer and writer who lives in Philadelphia, is one such survivor. Trapped in an abusive relationship, one night in 2006, Stage says she “lost it.” After a desperate call to her girlfriend was coldly rebuffed, “I just decided that that was it.” She took enough wine and pills to end her life, but her girlfriend alerted the police, who barged into her apartment. They took her to the emergency room, where she was treated and released three hours later. Today, Stage is an outspoken advocate for suicide attempters as founder of the[Live Through This](http://livethroughthis.org/) project, in which survivors tell their stories. After years working with survivors, she knows firsthand that if you can eliminate a suicidal person’s access to a gun, he or she will likely survive to tell the tale. “There’s this myth that someone who is suicidal, when impeded from an attempt, will just find another way,” she says. “Not true.” The data backs her up: Over 90 percent of all attempters never die by suicide. Limit access to bridges and guns, and that number will surely creep toward 100 in the U.S.

#### Only gun control can minimize preventable suicides

HSPS ’08 (Harvard School of Public Health, “Guns and suicide: A fatal link”, Spring 2008)

In the United States, [suicides](http://www.hsph.harvard.edu/news/topics/suicide/) outnumber [homicides](http://www.hsph.harvard.edu/news/topics/violence/) almost two to one. Perhaps the real tragedy behind suicide deaths—about 30,000 a year, one for every 45 attempts—is that so many could be prevented. Research shows that whether attempters live or die depends in large part on the ready availability of highly lethal means, especially firearms. A study by the Harvard School of Public Health of all 50 U.S. states reveals a powerful link between rates of firearm ownership and suicides. Based on a survey of American households conducted in 2002, HSPH Assistant Professor of [Health Policy and Management](http://www.hsph.harvard.edu/departments/health-policy-and-management/) [Matthew Miller](http://www.hsph.harvard.edu/faculty/matthew-miller), Research Associate Deborah Azrael, and colleagues at the [School’s Injury Control Research Center](http://www.hsph.harvard.edu/research/hicrc/) (ICRC), found that in states where guns were prevalent—as in Wyoming, where 63 percent of households reported owning guns—rates of suicide were higher. The inverse was also true: where gun ownership was less common, suicide rates were also lower. The lesson? Many lives would likely be saved if people disposed of their firearms, kept them locked away, or stored them outside the home. Says HSPH Professor of Health Policy [David Hemenway](http://www.hsph.harvard.edu/faculty/david-hemenway), the ICRC’s director: “Studies show that most attempters act on impulse, in moments of panic or despair. Once the acute feelings ease, 90 percent do not go on to die by suicide.” But few can survive a gun blast. That’s why the ICRC’s Catherine Barber has launched Means Matter, a campaign that asks the public to help prevent suicide deaths by adopting practices and policies that keep guns out of the hands of vulnerable adults and children. For details, visit [www.meansmatter.org](http://www.meansmatter.org/).

### Contention 3 is Gun Culture

#### We need to force the discussion on gun culture in America – it silently props up systems of subjugation based on race, class, and gender

Devega ’15 [[CHAUNCEY](http://www.salon.com/writer/chauncey_devega/) , His work has been featured by the Alternet, the BBC, the New York Daily News, the Week, the AP, and The Atlantic Monthly, “The plague of angry white men: How racism, gun culture & toxic masculinity are poisoning America”, Salon, 7/7/15]

Roof’s actions were those of the “angry white man” on steroids. While his feelings of toxic white masculinity could have been insulated by the relative privileges of being born into the middle class, he was instead suckered into a sense of white racial victimology, entitlement and identity politics by the right-wing media and online racist propaganda. Never did he think to identify the system he venerated, racial patriarchy, as the source of his own alienation. Instead, like so many other angry young men like him, he bought into it wholeheartedly. Roof’s translating this anger into violent action is (thankfully) a rare event in the United States. But, as sociologist Michael Kimmer detailed in his book [“Angry White Men,”](http://www.salon.com/2013/11/17/americas_angriest_white_men_up_close_with_racism_rage_and_southern_supremacy/) this sense of (white) grievance and anger is all too common. Guns are central to toxic white masculinity, as well as the broader white supremacist and conservative politics that Dylann Roof exemplified. In the United States, guns have a deep historic relationship to the maintenance and enforcement of hierarchies of race, class and gender. They were a tool for committing mass genocide against First Nations peoples, for example. They were given to white indentured servants in the 17th century as a way of cementing their identities as “free” people who could then be used to oppress and control black slaves and other people of color. Guns have been a tool for American plutocrats and the 1 percent to control the working classes and the poor. The gun is also a powerful symbol of masculinity and virility: A recent ad campaign by the manufacturer of the AR-15 rifle featured a picture of the weapon along with the tag line: [“Consider your man card reissued.”](http://gawker.com/5969150/bushmaster-firearms-your-man-card-is-revoked) As seen with Dylann Roof and other mass shooters (a group in which white males are grossly overrepresented) such as Elliot Rodger, Adam Lanza, the Columbine killers and James Holmes, toxic masculinity ([and a sense of aggrieved white male entitlement](http://www.alternet.org/culture/santa-barbara-mass-shooting-elliot-rodger-and-aggrieved-white-male-entitlement-syndrome)) is central to their decision [to use firearms to commit acts of mass murder](http://www.mediaed.org/toughguise2/april2014interview.html). The corporate news media does not want a sustained discussion of gun violence as a type of public health crisis. The corporate news media is also unwilling to discuss how domestic terrorism by right-wing white men is now the United States’ leading threat to public order. Very troublingly, the corporate news media considers it impolitic to explore how the right-wing echo chamber is radicalizing and weaponizing its followers. And there most certainly will not be a “national conversation” about toxic white masculinity and mass murder in the mainstream news media.

#### In the long-term, only the plan can create the *cultural shift* necessary to change the undercurrent of gun violence in America

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

#### Plan solves a major avenue for the infliction of white racial terror upon black communities, and gun violence locks in cycles of racist oppression

Peniel ’15 (Joseph Peniel, Reporter for Newsweek, "Guns Have Been the Most Dramatic Weapon Used Against African-Americans, but Not the Most Effective," Newsweek, 6/23, <http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african-> americans-not-most-346101)

African-American veterans returned from World War I with a renewed militancy that helped ignite a New Negro Movement that promoted black political self-determination. New Negroes flocked to Marcus Garvey’s Universal Negro Improvement Association, creating businesses, publishing newspapers and preaching a gospel of racial unity whose cultural arm would flower in the Harlem Renaissance. But whites’ anti-black violence, often backed by guns, was never far away. Racial segregation in public accommodations and the disenfranchisement of black voters was backed by both public policy and popular consensus. Just as guns, many of them—including those wielded by black soldiers—helped to end slavery and win the Civil War, it would take thousands of guns—this time wielded by white supremacists—to enable white Southerners to win the peace. The modern civil rights era unfolded against this backdrop, where whites used guns and threats of violent reprisals to ensure a brutally unjust racial order. The movement’s nonviolent face, personified by Dr. Martin Luther King Jr.’s dream of a “beloved community,” hid a long history of armed self-determination within the black community. Malcolm X’s scathing broadsides against white violence included open advocacy for armed self-defense so that blacks could achieve liberation “by any means necessary,” as he often said in speeches during the early 1960s. While most African-Americans avoided taking up arms, some did, including Robert F. Williams, a North Carolina NAACP activist and author of Negroes With Guns (1962); the Deacons for Defense and Justice; and the Black Panthers. Both Williams and the Deacons offered armed protection against racist terror for nonviolent civil rights activists in the South. Members of the Student Non-Violent Coordinating Committee (or SNCC, pronounced “snick) encountered an older generation of Southern blacks who never left their rural homes without carrying a pistol or shotgun for protection. The Black Panthers for a time went further, shifting from a self-defensive posture into an open advocacy of “revolutionary violence” before being pummeled into submission by the FBI and local authorities through state-sanctioned violence. Yet the symbolism of black men and women confronting police brutality and racial violence armed with guns and law books resonates today. Post-civil-rights America has seen an explosion of guns and gun violence that has disproportionately hurt the African-American community. The flood of guns in racially segregated and impoverished black neighborhoods has produced catastrophic trauma in inner cities. Black homicide rates dwarf their white counterparts, with most victims killed by African-Americans, the pro-gun control Violence Policy Center [reports](http://www.vpc.org/studies/blackhomicide14.pdf). Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after [Juneteenth](http://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/what-is-juneteenth/) delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

#### **American masculinized gun culture causes racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower**

Gahman ’14 (Levi, University of British Columbia, “Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas,” *Gender, Place & Culture: A Journal of Feminist Geography* 2014, Academia) OS

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger sociopolitical structures that influence the decisions people are allowed to make. As such, the interlocking influences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergymembers, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reification of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reaffirmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualifiers noting that ‘safety and respect’ are first and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that firearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a rifle that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signifies a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow 1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codifies their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

### Underview

#### First, CX checks on all T and theory on the advocacy. a) Ensures substantive education since we’ll be able to avoid theory in a bunch of instances, which ensures debate about the topic, which is applicable to the real world, b) mutually exclusive interps means I’m forced to take a stance but if I have no idea which you would prefer I just do so arbitrarily so you shouldn’t punish me.

#### Second, if I win a counter-interpretation to T or theory, vote aff. Time-pressed rebuttals means the aff needs the ability to collapse to theory in order to overcome the inequity of the speech times. Otherwise the 2NR would also moot a large portion of the 1AR by kicking theory. Prefer time skew to other links to fairness because it’s quantifiable and verifiable.

#### Third, reasonability and drop the argument on T. The briteline is if it’s been disclosed, defends a ban everywhere in the US for all guns and all individuals, provides link and impact turn ground, and has a CX concession spike. Prefer: a) Only the aff has the burden of meeting topicality, so it’s nonreciprocal to hold it to the same standards as other theory, b) mutually exclusive legitimate T interps—I have to choose one but you could read T no matter what which skews my strat—best possible interpretation is a bad standard.

#### Fourth, aff’s political method is good—

#### Critical academia that doesn’t engage politics makes efficacy impossible – they re-inscribe the existing structure in a constant critique

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### Simulated legal debates are key to social transformation—creates a rallying point

Karl Klare, George J. & Kathleen Waters Matthews Distinguished University Professor, Northeastern University School of Law, “Teaching Local 1330—Reflections on Critical Legal Pedagogy,” (‘11). School of Law Faculty Publications. Paper 167. http://hdl.handle.net/2047/d20002528

This dialogue continues for awhile. **One ineffective theory after another is put on the table**. **Only once or twice in the decades I have taught this exercise have the students gotten close to a viable legal theory**. But this is not wasted time—lear**n**ing **occurs in** this phase of **the exercise**. **The point conveyed is** that **while law and morals/politics are inextricably intertwined**, **they are not the same**. For one thing, **lawyers have a distinct way of talking about and analyzing problems** that is characteristic of the legal culture of a given time and place. So-called “**legal reasoning**” **is actually a repertoire of conventional**, **culturally approved rhetorical moves and counter-moves** **deployed by lawyers** to **create an appearance of** the **legal necessity** of the results for which they contend. In addition, **good lawyers** actually **possess useful**, specialized **knowledge** not **generally** absorbed by **political theorists or movement** activists**. Legal training sensitizes us** **to the many complexities that arise whenever general norms and principles are implemented in the form of rules** of decision **or case applications**. **Lawyers know**, for example, that large stakes may turn on precisely how a right is defined, **who has standing** to vindicate it, **what remedies it provides, how the right is enforced** and in what venue(s), and so on. **We are not doing our jobs** properly **if we argue,** simply, “**what the defendant did was unjust and the plaintiff deserves relief**.” No one needs a lawyer to make the “what the defendant did was unjust” argument. As Lynd‟s account shows, the workers of Youngstown did make that argument in their own, eloquent words and through their collective resistance to the shut-downs. **If “what the defendant did was unjust” is all we have to offer, lawyers bring no added value to the table. Progressive students** sometimes **tell themselves** that **law is** basically **gobbledygook**, but that you can assist movements for social change if you learn how to spout the right gobbledygook. In this view of legal practice, “creativity” consists in identifying an appropriate technicality that helps your client. But in the Youngstown situation, we are way past that naïve view. There is no “technicality” that can win the case. In this setting, **a social justice lawyer must use the bits and pieces lying around to generate new legal knowledge and new legal theories**. And **these new theories must say something** **more than** “**my client deserves to win**” (although it is fine to commence one‟s research on the basis of that moral intuition). The class is beginning to get frustrated, and around now someone says “well, what do you expect? This is capitalism. There‟s no way the workers were going to win.” The “this-is-capitalism” (“TIC”) statement sometimes comes from the right, sometimes from the left, and usually from both ends of the spectrum but in different ways. The TIC statement precipitates another teachable moment. I begin by saying that we need to tease out exactly what the student means by TIC, as several interpretations are possible. For example, TIC might be a prediction of what contemporary courts are most likely to do. That is, TIC might be equivalent to saying that “it doesn‟t matter what theory you come up with; 999 US judges out of 1,000 would rule for U. S. Steel.”17 I allow that this is probably true, but not very revealing. The workers knew what the odds were before they launched the case. Even if doomed to fail, **a legal case may still make a contribution to social justice** if **the litigation creates a** focal point **of energy around which a community can mobilize, articulate moral and political claims, educate the wider public, and conduct political consciousness-raising**. And if there is political value in pursuing a case, we might as well make good legal arguments. On an alternative reading, the TIC observation is more ambitious than a mere prediction. It might be a claim that a capitalist society requires a legal structure of a certain kind, and that therefore professionally acceptable legal reasoning within capitalist legal regimes cannot produce a theory that interrogates the status quo beyond a certain point. Put another way, some outcomes are so foreign to the bedrock assumptions of private ownership that they cannot be reached by respectable legal reasoning. A good example of an outcome that is incompatible with capitalism, so the argument goes, is a court order interfering with U.S. Steel‟s decision to leave Youngstown. **This reading of the TIC comment embodies** **the idea** that **legal discourse** is **encased within a deeper**, extra-legal **structure given by requirements of** the social order (**capitalism**), **so that within professionally responsible legal argument** **the best lawyers in the world could not state a winning theory** in Local 1330. Ironically, **the left and the right in the class often share this belief.** I take both conservative and progressive students on about this. I insist that **the** **claim** that **our law is constrained by a** **rigid meta-logic of capitalism**—which curiously parallels the notion that legal outcomes are tightly constrained by legal reasoning—is just plain wrong. **Capitalist societies recognize** all **sorts of limitations** **on the rights of property owners**. Professor Singer‟s classic article catalogues a multitude of them.18 **The claim is not only false**, **it is a** dangerous **falsehood**. **To believe TIC in this sense is to limit in advance our aspirations for what social justice lawyering can accomplish**.

#### Abandoning policy discussion for epistemological questioning freezes action—it’s intellectual elitism

Jarvis 2k [Darryl Jarvis (Director of the Research Institute for International Risk and Lecturer in International Relations, The University of Sydney) 2000 “International relations and the challenge of postmodernism” p. 128-9]

More is the pity that such irrational and obviously abstruse debate should so occupy us at a time of great global turmoil.  That it does and continues to do so reflects our lack of judicious criteria for evaluating theory and, more importantly, the lack of attachment theorist have to the real world.  Certainly it is right and proper that we ponder what we ponder the depth of our theoretical imagination, engage in epistemological and ontological debate, and analyze the sociology of our knowledge.  But to suppose that this is the only talk on international theory, let alone the most important one, smacks of intellectual elitism and displays a certain contempt for those who search for guidance in their daily struggle as actors in international politics.  What does Ashley’s project, his deconstructive efforts, or valiant fight against positivism say to the truly marginalized, oppressed, and destitute?  How does it help solve the plight of the poor, the displaced refugees, the casualties of war, or the emrigres of death squads?  Does it in any way speak to those actions and thoughts comprise the policy and practice of international relations?  On all these questions one must answer no.  That is not to say, of course, that all theory should be judged by its technical rationality and problem solving capacity as Ashley forcefully argues.  But to suppose that problem solving technical theory is not necessary – or is in some way bad – is a contemptuous position that abrogates any hope of solving some of the nightmarish realities that millions confront daily.  As Holsti argues, we need ask of these theorists and their theories the ultimate question, “So What?”  To what purpose do they construct, problematize, destabilize, undermine, ridicule, and belittle modernist and rationalist approaches?  Does this get us any further, make the world any better, or enhance the human condition?  In what sense can this “debate towards bottomless pit of epistemology and metaphysics” be judged pertinent, relevant, helpful, or cogent to anyone other than those foolish enough to be scholastically excited by abstract and recondite debate?

#### Policy simulation is key to political activism—we learn the levers of power

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

#### Engaging the state is productive—that means discussions of fiat are valuable. Statism is inevitable—innovative engagement can redirect power for emancipation.

Martin and Pierce ’13 Deborah G. Martin, Joseph Pierce, “Reconceptualizing Resistance: Residuals of the State and Democratic Radical Pluralism,” Antipode, Vol. 45, Issue 1, pp. 61-79, January 2013, DOI: 10.1111/j.1467-8330.2012.00980.x

The state offers a complex set of power structures against and with which resistance struggles (Holloway 2005; Scott 1988; Tormey 2004). Indeed, Holloway (2005) sees the state as so entrenched in power relations such that any resistance in or through the state is irrevocably bound up in its power logic. We acknowledge state power as always present, but not necessarily as monolithic.2 Despite—or perhaps because of— the power relations inherent in state frameworks, it is in part through laws and state regulations that activists can achieve reworked economic relations such as worker ownership, community banks, or cooperative housing (DeFilippis 2004). Hackworth explicitly acknowledges the possibility of a “neo-Keynesian” resistance which seeks to maintain relatively left-leaning state functions. Ultimately, though, he dismisses the resistive potential of such “neo-Keynesian” efforts, arguing that they have yielded “highly limited” successes (2007:191). We argue, however, that focusing on a state's ordering functions [the “police” component of states; as in Rancière (2004)] may provide a lens for examining how resistance through the state might destabilize or subvert neoliberal hegemony. We articulate the notion of residuals, or mechanisms of the state that can, or have historically, been wielded to mitigate inequalities of capitalism. In order to explore this arena as potentially productive for resistance, we first consider radical democracy as an already-articulated conceptualization of neoliberal resistance (Laclau and Mouffe 1985; Purcell 2008). Radical democracy does not seek to enroll the state in resistance to capital, per se, but recognizes the simultaneous co-presence of a hegemonic (but always changing) state, and anti-hegemonic resistances. Radical Democracy: Responding to Hegemony? The concept of radical democracy provides a framework for articulating where residual state apparatuses stand amidst the myriad layers of state functions, power, and hegemony (cf Laclau and Mouffe 1985; Rancière 2004). We imagine a politics in which the state –whether capitalist or not— is always hegemonic, and thus always produces an outside or excluded that is resistant to the hegemonic order. Radical democracy as initially described by Laclau and Mouffe (1985) offered a theory of resistance—although they did not use that term—to capitalist hegemonies.3 Their goal was to identify a leftist, anti-hegemonic political project that did not rely on unitary categories such as class, in response to the identity politics of the 1970s to 1990s and post-structural theorizing of the absence of any common (structural or cultural) basis for political transformation. The theory of radical democracy posits that any order is an hegemonic order; the post-Marxist socialist project of Laclau and Mouffe seeks to destabilize the hegemonies of capitalism and work towards more democratic articulations that marginalize capital, even as forms of inequality may persist (Laclau and Mouffe 1985). Nonetheless, they can seek more articulations, more opportunities for social protest and struggle over multiple inequalities. Each struggle will produce—or seek to produce—new orders, or hegemonies, but these will be unseated by other struggles; this process describes a democracy not defined solely by a capitalist hegemony. As scholars have increasingly taken neoliberalism as the distinct form of contemporary capitalism in response to which resistance is engaged, they have explored the ways that its intense market logic constricts possibilities for traditional political activism to engage the state: the state is responsive primarily to the logic of facilitating the work of private capital (Brenner and Theodore 2002; Harvey 2005; Mitchell 2003; Peck and Tickell 2002; Purcell 2008). At the same time, however, neoliberalism opens possibilities for resistance because of its internal contradictions (like all hegemonic orders); it simultaneously engages the state to facilitate capital expansion, yet rhetorically rejects the state as an active player in market logics (Leitner, Peck and Sheppard 2007; Peck and Tickell 2002; Purcell 2008). In doing so, the door is opened for alternative projects and resistances. Purcell (2008) takes up the ideals of radical democracy to focus on how it might provide specific means for resistance to neoliberalism. He wants to take the insights of Laclau and Mouffe and apply them to a particular, empirically informed framework for engaged activism that actually interrupts, if not challenges (and mostly not, in his examples), neoliberalism. As a result, Purcell engages specifically with the idea of “chains of equivalence”, which he defines as “entities [which] must simultaneously be both different and the same” (2008:74). Political coalitions and actors with shared or complimentary challenges to neoliberalism—but distinct in character, goals, and identities—form networks of equivalence [Purcell (2008), drawing from Hardt and Negri (2004) as well as Laclau and Mouffe (1985)]. Simply put, networks of equivalence conceptually allow for multiple groups with different specific interests and identities to band together to challenge the hegemony of neoliberal capitalism. The crucial point for Purcell, however, and the key radical pluralist component is that those groups can work together without having to resolve their internal differences; they need only share a common questioning of the neoliberal prioritizing of private capital. They share a struggle, then, for a different hegemony (Laclau and Mouffe 1985; Purcell 2008). In the battle against global finance, for example, activists with different specific interests (agriculture or trade policy or environmental protections) confront the state in the form of police in the streets of Seattle or Cancun (Wainwright 2007); their objections are to the state policies and agreements which support and create frameworks for world trade. In Purcell's (2008) networks of equivalence in Seattle, a similar, yet more spatially circumscribed network of neighborhood community activists, environmental activists, and a Native American tribe work together to challenge the terms of the environmental clean-up of toxins in and around the Duwamish River. Their target is the corporate interests being held responsible for actually funding the clean-up. The agent helping to hold the corporate interests accountable is the Federal Environmental Protection Agency (EPA). Seattle area environmental activists have been able to form a “chain of equivalence” with the EPA in the Duwamish clean-up in part by inserting themselves into an EPA framework that seeks stakeholder input through a participatory planning structure. The shared interests of the EPA and environmental activists are not obvious or easy to negotiate; the EPA, as a bureaucracy with many actors situated within the US federal system, is positioned as a complex institutional agent. But its particular mandate with regard to environmental protection offers a difficult relation to capital, one sometimes allied with non-state actors seeking limits to capital. Purcell's (2008) account of this case is insightful and engaging. We are highly sympathetic to his project of conceptualizing resistance and, by connection, a better, more complete democracy. But we differ over some of the details—essential details—of how best to enact successful resistances. In his case study of the Duwamish River clean up in Seattle, Purcell (2008) cites government policies as the factor enabling community resistance and involvement. His account is historically detailed—and necessarily so, for the complexities of the state have everything to do with the sedimented and sometimes inherently contradictory nature of its policies and procedures. In brief, he points to the EPA, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (also known as “Superfund”), and associated environmental laws as a sort of “environmental Keynesianism” that the federal government enacted in the decade of the 1970s (through 1980) (Purcell 2008:137). For Purcell, the neoliberalisation of these laws is evident in the increasing local devolution of governance authority over particular Superfund sites, including his case of the Duwamish River, resulting in “a proliferation of ad hoc and special purpose entities [that] increasingly carries out the everyday decision-making in Superfund cleanups” (2008:137). At the same time, however, Purcell (2008:138) acknowledges “that such ‘flexibilization’ … tends to create political opportunities that social movements can exploit”. We want to engage the idea that such flexible—or Keynesian—tools of the state are levers that can force the state to act in ways that might be counter to capital and in the service of greater democracy. In particular, we hope for a more complex, and, we expect, more practically productive conceptualization of resistance in relation to the state. While Purcell (2008:38, 183, note 2,2) acknowledges resistive possibilities from engagement with the state, he also notes that “the state is fully imbricated in the project of neoliberalization” (a point also made elsewhere; cf Harvey 2005; Holloway 2005; Mitchell 2003; Smith 1996; Wainwright 2007). We do not disagree with the basic contention that the state regulates and administers a hegemonic political economic order of and for capital. But the state is complex; following the persuasive arguments of Laclau and Mouffe (1985) and the example of the EPA in Purcell (2008), the state ought to be conceptualized like any actor: as multifaceted, with many possible subjectivities in relation to any particular conflict. This complexity offers the possibility that the state can be a tool for resistance, one we explore further in the rest of this paper.

#### The master’s tools can be used to dismantle the master’s house

James 09

Robin M. James, Assistant Professor in the Philosophy Department at the University of North Carolina at Charlotte, Spring 2009, Hypatia, available via Wiley online library

In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

#### The law is malleable—debating it is the only way to affect change

Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

#### Intervening in the state is not weak reformism, but radical experimentation. Predetermining the government as an impenetrable structure repeats the worst of structuralist irresponsibility by needlessly bracketing leftist politics into irrelevance.

Connolly ’12 William E. Connolly, Krieger-Eisenhower Professor of Political Science at Johns Hopkins University, “Steps toward an Ecology of Late Capitalism,” Theory & Event, Vol. 15, Issue 1, 2012, Muse

A philosophy attending to the acceleration, expansion, irrationalities, interdependencies and fragilities of late capitalism suggests that we do not know with confidence, in advance of experimental action, just how far or fast changes in the systemic character of neoliberal capitalism can be made. The structures often seem solid and intractable, and indeed such a semblance may turn out to be true. Some may seem solid, infinitely absorptive, and intractable when they are in fact punctuated by hidden vulnerabilities, soft spots, uncertainties and potential lines of flight that become apparent as they are subjected to experimental action, upheaval, testing, and strain. Indeed, no ecology of late capitalism, given the variety of forces to which it is connected by a thousand pulleys, vibrations, impingements, dependencies, shocks and thin threads, can specify with supreme confidence the solidity or potential flexibility of the structures it seeks to change. The strength of structural theory, at its best, was in identifying institutional intersections that hold a system together; its conceit, at its worst, was the claim to know in advance how resistant those intersections are to potential change. Without adopting the opposite conceit, it seems important to pursue possible sites of strategic action that might open up room for productive change. Today it seems important to attend to the relation between the need for structural change and identification of multiple sites of potential action. You do not know precisely what you are doing when you participate in such a venture. You combine an experimental temper with the appreciation that living and acting into the future inevitably carries a shifting quotient of uncertainty with it. The following tentative judgments and sites of action may be pertinent.

## 1AC – SV Updated

### Framework

#### The standard is minimizing structural barriers, defined as alleviating the material conditions that commit structural violence on marginalized groups.

#### 1] Structural violence is based in moral exclusion, which is fundamentally flawed because exclusion is not based on dessert but rather on arbitrarily perceived differences.

Winter and Leighton 99 |Deborah DuNann Winter and Dana C. Leighton. Winter|[Psychologist that specializes in Social Psych, Counseling Psych, Historical and Contemporary Issues, Peace Psychology. Leighton: PhD graduate student in the Psychology Department at the University of Arkansas. Knowledgable in the fields of social psychology, peace psychology, and justice and intergroup responses to transgressions of justice] “Peace, conflict, and violence: Peace psychology in the 21st century.” Pg 4-5

Finally, to recognize the operation of structural violence forces us to ask questions about how and why we tolerate it, questions which often have painful answers for the privileged elite who unconsciously support it. A final question of this section is how and why we allow ourselves to be so oblivious to structural violence. Susan Opotow offers an intriguing set of answers, in her article Social Injustice. She argues that our normal perceptual cognitive processes divide people into in-groups and out-groups. Those outside our group lie outside our scope of justice. Injustice that would be instantaneously confronted if it occurred to someone we love or know is barely noticed if it occurs to strangers or those who are invisible or irrelevant. We do not seem to be able to open our minds and our hearts to everyone, so we draw conceptual lines between those who are in and out of our moral circle. Those who fall outside are morally excluded, and become either invisible, or demeaned in some way so that we do not have to acknowledge the injustice they suffer. Moral exclusion is a human failing, but Opotow argues convincingly that it is an outcome of everyday social cognition. To reduce its nefarious effects, we must be vigilant in noticing and listening to oppressed, invisible, outsiders. Inclusionary thinking can be fostered by relationships, communication, and appreciation of diversity. Like Opotow, all the authors in this section point out that structural violence is not inevitable if we become aware of its operation, and build systematic ways to mitigate its effects. Learning about structural violence may be discouraging, overwhelming, or maddening, but these papers encourage us to step beyond guilt and anger, and begin to think about how to reduce structural violence. All the authors in this section note that the same structures (such as global communication and normal social cognition) which feed structural violence, can also be used to empower citizens to reduce it. In the long run, reducing structural violence by reclaiming neighborhoods, demanding social justice and living wages, providing prenatal care, alleviating sexism, and celebrating local cultures, will be our most surefooted path to building lasting peace.

#### 2] Abstract theories of justice that strive towards an ideal ignore systems of oppression---instead we should adopt non-ideal theories that recognize current injustice, which requires positive obligations

Mills ’09 (C. W. (2009), Rawls on Race/Race in Rawls. The Southern Journal of Philosophy, 47: 161–184)

Now how can this ideal—a society not merely without a past history of racism but without races themselves—serve to adjudicate the merits of competing policies aimed at correcting for a long history of white supremacy manifest in Native American expropriation, African slavery, residential and educational segregation, large differentials in income and huge differentials in wealth, nonwhite underrepresentation in high-prestige occupations and overrepresentation in the prison system, contested national narratives and cultural representations, widespread white evasion and bad faith on issues of their racial privilege, and a corresponding hostile white backlash against (what remains of) those mild corrective measures already implemented? Obviously, it cannot. As Thomas Nagel concedes: “Ideal theory enables you to say when a society is unjust, because it falls short of the ideal. But it does not tell you what to do if, as is almost always the case, you find yourself in an unjust society, and want to correct that injustice” (2003a, 82). Ideal theory represents an unattainable target that would require us to roll back the clock and start over. So in a sense it is an ideal with little or no practical worth. What is required is the nonideal (rectificatory) ideal that starts from the reality of these injustices and then seeks some fair means of correcting for them, recognizing that in most cases the original prediscrimination situation (even if it can be intelligibly characterized and stipulated) cannot be restored. Trying to rectify systemic black disadvantage through affirmative action is not the equivalent of not discriminating against blacks, especially when there are no blacks to be discriminated against. Far from being indispensable to the elaboration of nonideal theory, ideal theory would have been revealed to be largely useless for it. But the situation is worse than that. As the example just given illustrates, it is not merely a matter of an ideal with problems of operationalization and relevance, but of an ideal likely to lend itself more readily to retrograde political agendas. If the ideal ideal rather than the rectificatory ideal is to guide us, then a world without races and any kind of distinctiondrawing by race may seem to be an attractive goal. One takes the ideal to be colorblind nondiscrimination, as appropriate for a society beginning from the state of nature, and then—completely ignoring the nonideal history that has given whites a systemic illicit advantage over people of color—conflates together as “discrimination” all attempts to draw racial distinctions for public policy goals, no matter what their motivation, on the grounds that this perpetuates race and invidious differential treatment by race. In the magisterial judgment of Chief Justice John Roberts in the June 2007 Supreme Court decision on the Seattle and Louisville cases where schools were using race as a factor to maintain diversity, “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race,”6 a statement achieving the remarkable feat of depicting not merely as true, but as tautologically true, the equating of Jim Crow segregation and the attempt to remedy Jim Crow tion! What is ideally called for under ideal circumstances is not, or at least is not necessarily, what is ideally called for under nonideal circumstances. Claiming that all we need to do is to cease (what is here characterized as) discrimination ignores the differential advantages and privileges that have accumulated in the white population because of the past history of discrimination. So the defense in terms of ideal theory is doubly problematic. In the first place, ideal theory was never supposed to be an end in itself, but a means to improving our handling of nonideal matters, and the fact that Rawls and his disciples and commentators have for the most part stayed in the realm of the ideal represents an evasion of the imperative of dealing with what were supposed to be the really pressing issues. And in the second place, it is questionable in any case how useful the ideal ideal in the Rawlsian sense is or ever would have been in assisting this task. So it is not merely that ideal theory has not come to the aid of those dealing with nonideal injustice but that it was unlikely to have been of much help when and if it ever did arrive.

#### 3] Debate should deal with real-world consequences—ideal theories ignore the concrete nature of the world and legitimize oppression.

Curry ’14 (Dr. Tommy J. Curry, “The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century”, Victory Briefs, 2014, FT)

**Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue**, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” At the most general level, the conceptual chasm between what emerges as actual problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems theoretically—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is actual (in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,” so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to only do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

### Advocacy

#### The United States federal government will prohibit the ownership of private handguns and implement a reimbursement policy to collect handguns currently in circulation. I reserve the right to clarify.

Etzioni and Hellend ’92 [Amitai Etzioni and Steven Hellend, “The Case for Domestic Disarmament”, The Communitarian Network, 1992]

PROPOSED HANDGUN LEGISLATION Prohibits the importation, exportation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns. Establishes a "grace period" during which time handguns may be turned into any law enforcement agency with impunity and for reimbursement at the greater of either $25 or the fair market value of the gun. Allows an exception for: \* agencies of federal, state, or local government (military and law enforcement) \* collectors of antique (nonserviceable) firearms \* federally-licensed handgun sporting clubs; the clubs must be founded for bonafide target or sport shooting; must maintain possession and control of the handguns used by its members; must have procedures and facilities for keeping the handguns secure when not in a local law enforcement facility; and may not have as members persons whose membership would violate state of federal law \* federally-licensed professional security guard services [operating with similar conditions as those set for handgun clubs] Sets up penalties of up to $5,000, or up to 5 years imprisonment, or both, for violation of the provisions of the Act. We suggest the following friendly amendment to Senator Chafee's proposed legislation: Extend the above prohibitions to ammunition for handguns, allow for the exceptions to apply also to ammunition, and establish a "grace period" during which those who turn over ammunition to any law enforcement agency would be reimbursed at the fair market value.

### Contention 1 is Suicide

#### Only gun control measures can minimize preventable suicide deaths – the plan is the best available option.

**HSPS ’08:** [Harvard School of Public Health, “Guns and suicide: A fatal link”, Spring 2008]

In the United States, [suicides](http://www.hsph.harvard.edu/news/topics/suicide/) outnumber [homicides](http://www.hsph.harvard.edu/news/topics/violence/) almost two to one. Perhaps the real tragedy behind suicide deaths—about 30,000 a year, one for every 45 attempts—is that so many could be prevented. Research shows that whether attempters live or die depends in large part on the ready availability of highly lethal means, especially firearms. A study by the Harvard School of Public Health of all 50 U.S. states reveals a powerful link between rates of firearm ownership and suicides. Based on a survey of American households conducted in 2002, HSPH Assistant Professor of [Health Policy and Management](http://www.hsph.harvard.edu/departments/health-policy-and-management/) [Matthew Miller](http://www.hsph.harvard.edu/faculty/matthew-miller), Research Associate Deborah Azrael, and colleagues at the [School’s Injury Control Research Center](http://www.hsph.harvard.edu/research/hicrc/) (ICRC), found that in states where guns were prevalent—as in Wyoming, where 63 percent of households reported owning guns—rates of suicide were higher. The inverse was also true: where gun ownership was less common, suicide rates were also lower. The lesson? Many lives would likely be saved if people disposed of their firearms, kept them locked away, or stored them outside the home. Says HSPH Professor of Health Policy [David Hemenway](http://www.hsph.harvard.edu/faculty/david-hemenway), the ICRC’s director: “Studies show that most attempters act on impulse, in moments of panic or despair. Once the acute feelings ease, 90 percent do not go on to die by suicide.” But few can survive a gun blast. That’s why the ICRC’s Catherine Barber has launched Means Matter, a campaign that asks the public to help prevent suicide deaths by adopting practices and policies that keep guns out of the hands of vulnerable adults and children. For details, visit [www.meansmatter.org](http://www.meansmatter.org/).

#### Suicide is a leading cause of death amongst minorities

Crosby and Molock ’06: (Alex Crosby [Centers for Disease Control and Prevention] and Sherry Davis Molock [George Washington University], “Suicidal Behaviors in the African American Community,” J Black Psychol. 2006 Aug; 32(3): 1–9.//FT)

Despite the widespread impact of [suicide] self-directed violence in the United States, the problem has frequently been viewed as a one solely affecting European American [one] males (Davis, 1979) and the affluent (Earls, Escobar, & Manson, 1990). Among non-European Americans, only the incidence of suicide among Native Americans has been widely noted (U.S. Department of Health and Human Services [USDHHS], 1986). There are several reasons for studying suicidal behavior among a variety of minority populations in the United States. It [But suicide,] is a leading cause of premature death and injury within [minority] these populations. Also, because European American suicide deaths represent more than 90% of the U.S. national total (Kachur, Potter, James, & Powell, 1995), the national rates and many of the risk and protective factors studied reflect patterns among that population and not necessarily those of African Americans. Suicide was the 16th-leading cause of death overall in 2003 for African Americans. On an average day in the United States, 1 African American dies by suicide every 4.5 hours. There were [twenty-eight thousand] 28,177 suicides recorded among African Americans from 1990 to 2003. The yearly number of suicides among African Americans (unless otherwise noted, figures cited for African Americans represent those for non-Hispanic African Americans) in the United States increased slightly by 2.1% from 1,879 in 1990 to 1,918 in 2003 (Centers for Disease Control and Prevention [CDC], 2005). However, the age-adjusted suicide rate for this population declined 25% during the same period. The age-adjusted suicide rate was 7.15 deaths per 100,000 population in 1990 (all rates are per 100,000 population), which fluctuated in the early 1990s, but it has been declining since 1993 to 5.36 in 2003. Another measure of the scope of the suicide problem is by the years of potential life lost (YPLL) because of premature death. In 2003, suicide was the 10th-leading cause of YPLL before age 75 for African Americans, responsible for 73,065 YPLL (CDC, 2005). The overall statistics on suicide among African Americans obscures the disproportionate impact of this health problem on specific subgroups within the population, especially males and females in the adolescent and young-adult age groups (Reese, Crosby, Hasbrouck, & Willis, 2004). African American adolescents and young adults have the highest number and the highest rate of suicide of any age group of African Americans. Suicide was the third-leading cause of death among African American people aged 15 to 19 years, fourth among those aged 20 to 29 years, and eighth among those aged 30 to 39. Among African American adolescents and young adults, it is particularly the males that have the highest rates. During the early 1990s, the suicide rates among African American males aged 15 to 24 years were rising. The rates peaked in 1993 at 20.2, then began a steady decline to 11.6 (42.6% decrease) in 2002.

#### The aff does not say that suicide is bad --- but suicide attempts are disproportionately taken marginalized groups because of structural barriers the state is culpable for --- we should reverse the gun culture that conveniently pushes the marginalized to cleanse themselves.

Senthilnathan and Sathiyasegar ’14: (Samithamby Senthilnathan and Kanthasamy Sathiyasegar, “SUICIDE – IS IT A KILLING BY A SOCIETY?” SSRN, October 12, 2014)

When one kills himself/herself, it is simply and socially termed as “Suicide”. In another term, one directs his/her own behaviours and actions with an intention of dying, to be away from society and to avoid being a part of the society. When one kills himself/herself, there is a reason behind it. In this context, the society fails in providing solution(s) to his/her problem(s) in his/her views, perspectives and understandings. It can also be said that the society has spelled solutions on the persons’ issue with limited options; and/or the available such options have no greater impact on the thoughts and understanding of the person to give up the intention of killing himself/herself. If it is the case, the society becomes responsible for not giving solution to the victim, thus inducing the person to isolate from the society and kill himself/herself. In turn, it is possible to question: “Is a suicide a killing by the respective society?”, irrespective of its size, since a suicide is the resultant of existing social facts and then becomes a social fact. A society consists of social relationships of individuals with family, friends, relatives and other people and institutions concerned. As the social facts (namely, social norms, values, customs, structures and cultures) are for such relationships that have influence and impacts on attitudes and behaviours of every individual in a society, the society with its own limitations becomes a mean for suicidal attempts. The above question can also be further justified, since some argue that the suicide is a “public health problem”, because of its impacts on others – mainly family, friends, relations and other people concerned; and they as the key elements of a social system directly or indirectly contribute to suicidal attempts Considering the reasons of suicidal attempts in brief, information on suicidal incidents in some countries, and Blasco-Fontecilla et al. (2013), this paper presents a hypothetical model for a person’s induced suicidal behaviour. This paper mainly demonstrates that the society has to accept its failure for not providing sufficient information and solution to the problems of the people who commit suicides, due to the existing structural arrangements within the multiple and complex socio, cultural, economic, political and technological (SCEPT) environment. Hence, this study strongly urges for an encouraged aggregated commitment by the society to bring a change in the society to overcome the problem of suicides, since the society’s existing structure fails to prevent some suicides. In this context, this paper critically and strongly question whether a society makes up a person for a suicidal attempt. This paper has designed the rest to explore the above context with: suicide causations, discussion and conclusion, respectively.

### Contention 2 is IPV

#### Status quo American guns laws disproportionately harm survivors of intimate partner violence – reform is necessary.

Everytown ’14: [Everytown for Gun Safety, “GUNS AND VIOLENCE AGAINST WOMEN: America's Uniquely Lethal Domestic Violence Problem”, 6/16/14]

Like many women who suffer domestic abuse, Zina Daniel had endured years of escalating attacks by her husband and finally sought a restraining order. Under federal law, this prohibited her husband from buying or possessing firearms, and for good reason. “His threats terrorize my every waking moment,” she wrote in her petition. “He said he would kill me if I left him or even contacted the police.”[1](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_1) Zina’s fear was justified: two days later her husband exploited  a loophole in our nation’s laws and bought a gun from an unlicensed seller on the website Armslist.com, evading a background check. Three days later Zina was dead. America’s weak gun laws failed Zina, just as they fail countless other American women each year. In theory, these laws are designed to protect women in Zina’s circumstances, by keeping guns out of the hands of domestic abusers. But in practice, the laws are poorly defined and poorly enforced, and the results are as predictable as they are devastating. Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.[2](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_2) When it comes to gun violence, the most dangerous place for a woman in the developed world is America. Domestic violence in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined.[3](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_3) And people with a history of committing domestic violence are five times more likely to subsequently murder an intimate partner when a firearm is in the house.[4](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_4) At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members.[5](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_5) And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.[6](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_6) Because of the risk that firearms pose when they intersect with domestic violence, a series of federal and state laws aim to keep guns out of the hands of the most dangerous domestic violence offenders. The strongest laws prohibit domestic abusers and stalkers from buying or possessing guns, require background checks for all gun sales, and create processes to ensure that abusers and stalkers surrender the guns already in their possession. When these laws are on the books and enforced properly, they save lives. In the past sixteen years, the background check system has kept hundreds of thousands of guns out of abusers’ hands and prevented countless crimes.[7](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_7) And in states that require background checks for all handgun sales, there are 38 percent fewer women shot to death by intimate partners.[8](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_8) But because of loopholes in these laws and failures to enforce them, they do too little to curb the uniquely lethal American problem of guns and violence against women. Four gaps in the law are particularly harmful: First, federal law does nothing to keep guns out of the hands of abusive dating partners or convicted stalkers. The federal laws prohibiting domestic abusers from buying or owning guns do not apply to dangerous people convicted of misdemeanor stalking offenses or to dating partners—even though more women in the U.S. are killed by their dating partners than by their spouses.[9](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_9) In Everytown’s analysis of mass shootings, 25 percent of perpetrators that targeted an intimate partner had never married them nor had a child together, and thus would not likely qualify as intimate partners under current law. Second, in 35 states, state law does not prohibit all people convicted of misdemeanor domestic violence crimes and all people subject to restraining orders from buying or using guns.[10](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_10) So while domestic abusers in those states cannot possess guns under federal law, local law enforcement and prosecutors do not have the tools they need to enforce those restrictions. Third, federal law (and the law in most states) allows domestic abusers and stalkers to easily evade gun prohibitions by purchasing guns from unlicensed, private sellers. Federal law only requires background checks for gun sales at licensed dealers. Sixteen states require checks on all handgun sales, but in the remaining states, prohibited abusers seeking to avoid a background check have little trouble purchasing a gun from an unlicensed seller they meet online or at a gun show. Prohibited domestic abusers are well aware of this loophole—and have taken advantage of it to deadly effect. In a first-of-its-kind investigation of illegal online gun sales, Mayors Against Illegal Guns found that 1 of 4 prohibited purchasers seeking guns online had a domestic violence arrest. Finally, forty-one states do not require all prohibited domestic abusers to relinquish guns they already own. Without a clear law on the books that provides an enforceable process by which offenders relinquish their firearms, it is too easy for dangerous abusers to keep their guns even after they commit offenses that prohibit them from having them. The strongest state laws establish a clear process that courts and law enforcement can use to make sure prohibited batterers turn in their guns, but far too many states lack these laws or do not enforce them adequately.

#### IPV is a serious problem in LGBTQ communities as well.

Glass 14: JD Glass. 2 Studies That Prove Domestic Violence Is an LGBT Issue. Advocate.<http://www.advocate.com/crime/2014/09/04/2-studies-prove-domestic-violence-lgbt-issue> September 4, 2014.

The National Violence Against Women survey found that 21.5 percent of men and 35.4 percent of women living with a same-sex partner experienced intimate-partner physical violence in their lifetimes, compared with 7.1% and 20.4% for men and women, respectively, with a history of only opposite-sex cohabitation. Transgender respondents had an incidence of 34.6 percent over a lifetime according to a Massachusetts survey. The CDC’s 2010 National Intimate Partner and Sexual Violence Survey, released again in 2013 with new analysis, reports in its first-ever study focusing on victimization by sexual orientation that the lifetime prevalence of rape, physical violence, or stalking by an intimate partner was 43.8 percent for lesbians, 61.1 percent for bisexual women, and 35 percent for heterosexual women, while it was 26 percent for gay men, 37.3 percent for bisexual men, and 29 percent for heterosexual men (this study did not include gender identity or expression). These studies refute the myths that only straight women get battered, that men are never victims, and that women never batter — in other words, that domestic violence is not an LGBT issue. In fact, it is one of our most serious health risks, affecting significant numbers within our communities. “Abuse is not about violence; it’s about control,” says Beth Leventhal, executive director of The Network/La Red in Boston. “You can be just as controlling of someone if you are small — as if you’re large. It’s about using violence or any other means of gaining and maintaining control.” Myths about domestic violence, victims’ fear and shame, a silence that stems from a desire not to harm perceptions of the LGBT community — all these together contribute to making the problem invisible to others. Many people who are suffering either don’t realize that they’re in a terrible situation or don’t know where to go or who to tell. They wonder who will listen, who will believe them.

#### Gun bans would saves thousands – simple relinquishment requirements have seen a 25% reduction

Mascia ’15: (Jennifer Mascia, "Domestic Violence Offenders Abusers Frequently Get to Keep Their Guns. Here Are the Big Reasons Why.," Trace, October 26, 2015. FT)

A handful of states and cities have moved to close this gap in federal law with their own relinquishment requirements. Ten states mandate domestic violence misdemeanants hand over their guns, while 15 states require subjects of domestic violence restraining orders to do so. (Similar federal legislation was introduced in 2014 but did not pass.) Research shows that gun surrender laws have been successful: One 2009 study found that cities in states with relinquishment laws had 25 percent fewer domestic gun homicides compared to cities in states without them. In the 2013 book Reducing Gun Violence in America, Shannon Frattaroli and April M. Zeoli found that “would-be killers do not replace guns with other weapons,” and concluded that restricting firearms access for domestic abusers can save lives. “We know that most domestic violence homicides happen with firearms, and their presence increases risk of homicide,” Krista Niemczyk, policy manager at the California Partnership to End Domestic Violence, tells The Trace. “The impact firearms have on the level of abuse is really staggering.”

Gun bans would bring this close to 100% --- would cover t

### Contention 3 is Culture of Violence

#### Handgun violence is deeply ingrained in American culture to the point of normalization – easy availability of guns is the root cause.

Kairys 07: [James B. Jacobs and David Kairys, Professor of Law, Temple University, “Debate, Can Handguns Be Effectively Regulated?”, 156 U. PA. L. REV. PENNUMBRA 188, 2007]

However, Professor Jacobs ignores or underplays the reality and significance of the easy availability of handguns on urban streets and, increasingly, on the streets of many suburban and rural communities—which is enabled by the lack of regulation and the surprisingly legal channeling of handguns to criminals and youth. The terrible toll handgun violence exacts on individuals, families, communities and cities is traceable to the regularly ignored, essentially unregulated, handgun marketing system. Professor Jacobs makes some good points—some handgun regulation proposals that have gotten widespread attention seem more feel-good than effective, and there is no easy fix. But much can and should be done. The main problem is what I have called the “regrettable normalcy” with which we regularly approach handgun violence, the pervasive, numbing acceptance that fifty handgun deaths a day is [are] a normal or inevitable aspect of life in the U.S.A.

#### The proliferation of guns has flooded inner city communities that creates an every-day war on blacks --- empowerment is impossible when even survival is in question.

Firmin DeBrabander 15 \*bracketed\* [associate professor of philosophy at Maryland Institute College of Art, has written social and political commentary for numerous publications, including the Baltimore Sun, Common Dreams, Counterpunch, and the New York Times] “Do Guns Make Us Free?: Democracy and the Armed Society”, Yale University Press, 19 May 2015, FT

But this is far from the real thing. Gruesome Hollywood depictions spark deep, irrational fear of crime, but they do not communicate or reflect its real face, which is readily seen— if we care to look— in our inner cities and countless poor communities across America. While Americans eagerly devour spectacular bloodshed as entertainment— and use that to justify their need for a gun, indeed, many guns— hundreds of people meet an unglorious, unremarked death on the streets of cities like Baltimore every year. The television viewing public does not come to know the mean conditions of their demise, the quick, blunt ends of desperate lives. The fates of Baltimore’s murdered poor are hardly celebrated or studied by the media, and are instead belittled or swept under the rug by police and politicians. Suburbanites commute to work every day amidst the violence that afflicts Baltimore’s most desperate neighborhoods on either side of the highway; they flock to football and baseball games downtown, oblivious to the misery that rules the city’s roughest streets and how they are so surely insulated from it. For poor blacks— who are disproportionately affected by violent crime— the America they know can be a veritable war zone. According to a Bureau of Justice Statistics report, between the years 1976 and 2005, the homicide rate for white Americans was 4.8 per 100,000, but an astounding 36.9 [per 100,000] for blacks. 80 The United States Conference of Mayors, one of the loudest voices calling for gun control, noted in 2012 that “homicide is the leading cause of death for African American males between the ages of 15 and 24.” African Americans comprise just 15 percent of the nation’s child population, but “made up 45 percent of child gun deaths in 2008 and 2009,” the Children’s Defense Fund reports. 82 Many of our nation’s mayors, as well as many African Americans, complained following the Sandy Hook shootings, when the American public seemed newly aware of gun violence, that the constant flood of gun deaths in our inner cities is neglected and ignored. The Washington Post ran an article on residents of the most dangerous neighborhood in the District, noting their frustration that the killings “in mostly white, middle class Newtown, Connecticut” spurred political concern. “Twenty-six people died in Sandy Hook Elementary. In the District’s Sixth Police District, an area of fewer than 10 square miles … 19 lives were lost to gun violence last year and 55 people were wounded in shootings. The year before that, 22 people were killed and 35 were wounded. Eighty-eight lives were lost in the city last year.” 83 A quarter of Washington’s murders took place in one small part of the city, a neighborhood subjected to a merciless onslaught of violence. It is no surprise that inner-city residents tend to find the notion of “gun rights” a bit offensive. Of the homicide epidemic that afflicts the African American community at large, the Centers for Disease Control points out, “more than 90 percent of the violence is from other blacks, mostly from guns.” 84 As one Washington resident put it, “[guns] are for wars, and we have a war in the inner city.” 85 It is hardly conceivable that the rest of America would tolerate all the talk equating gun rights and freedom if middle-class whites were killing one another at similar rates.

#### A handgun ban reduces violence—also decreases the illicit market and disproves self-protection args

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

But this does not resolve the issue, for it does not establish what gun control advocates claim it shows, namely, that gun control is an effective way of substantially lessening the murder rate. First, a statistical correlation shows that two things are linked, but it does not tell us if the first caused the second, the second caused the first, or if there is some third factor which caused both. Second, even if the items are causally related, we do not know that changing the cause will automatically and straightforwardly change the effect since another factor might intervene to sustain the effect. Gun advocates proffer their own armchair explanation for the correlations: These correlations reflect the character of the respective social and political systems. The European countries where murder rates are lower have more social solidarity and are more heterogeneous than the United States. Whether these social factors explain all the correlation is debatable, but I am confident they explain some of it. Were the United States to regulate guns as tightly as most European countries, our murder rates would arguably fall, but they would not immediately plummet to their levels. We might settle the issue if we conducted controlled experiments, randomly dividing our population in half, giving half of them guns, removing all the guns from the other half, and then monitoring the murder rate. Of course, that would be morally unacceptable, politically unrealistic, and probably even scientifically unachievable. Before we had enough time to exclude all possible intervening causes, sufficient time might have elapsed so that new intervening causes could have emerged. But we are not in the dark. We have empirical evidence that helps adjudicate between competing explanations of the correlation. First, we have empirical evidence, bolstered by armchair arguments, that guns are more lethal than other weapons. Some claim the ratio is 5:1; no estimates are lower than 2:1 (Reiss, A. J., Jr. and Roth, J. A. 1993: 260). This partly explains the strong correlation between guns and homicides. If people get angry the same number of times, those using the most lethal weapons are more likely to kill their victims. Second, the nature of secondary gun markets helps explain how the widespread availability of guns increases crime in general, and homicides in specific. Various opponents of gun control claim that "If we outlaw guns, only outlaws will have guns." Armchair arguments suggest why this is a silly claim. Where, one might ask, do criminals get their guns? They often steal them or buy them from those who purchased them legally. Even guns obtained from other criminals are usually traceable to people who purchased them legally. Empirical evidence supports this armchair supposition. Most criminals report having stolen their guns, received them from a friend or family member, or purchased them from someone who had stolen it. At least half a million guns are stolen each year (Cook, P. J. et al. 1995: 81), and these swell the numbers of guns available illegally. Not only does the primary (legal) market effect the availability of guns on secondary markets, it also affects the price of guns on those markets, much "like the analogous markets for motor vehicles or prescription drugs" (Cook, P. J. et al. 1995: 71). As we restrict availability of guns in the primary market, the supply of guns in the secondary markets decreases and their cost increases (Cook, P. J. et al. 1995: 73). This increase in cost will diminish teenagers' ability to obtain guns, since they are least able to afford hefty prices. Since teenagers commit most deadly crimes, decreasing the availability of legal guns will thereby decrease the number of homicides. Conversely, having huge numbers of legally available guns increases the number of guns on secondary markets and typically lowers their price. This makes it easier for prospective criminals, including teenagers, to obtain guns. Third, having a gun around the house (or on the person) - even for self-protection - apparently increases the chance that someone in the family will kill themselves with the gun, or will be the victim of a homicide or an accident. One study found that "for every time a gun in the home was involved in a self-protection homicide, they noted 1.3 unintentional deaths, 4.5 criminal homicides, and 37 firearm suicides" (Reiss, A. J., Jr. and Roth, J. A. 1993: 267). This implies that for every case where someone in a gun-owning household kills an intruder to thwart a life-threatening attack, nearly 43 people in similar households will die from a gunshot. Taken together the evidence does not prove that widespread availability of guns increases the number of homicides. However, that empirical evidence, bolstered by earlier armchair arguments, makes the claim highly plausible.

#### Causes a long term *cultural shift* that bolsters solvency

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

## 1AC – SV V3

### Framework

#### The standard is minimizing structural barriers, defined as alleviating the material conditions that commit structural violence on marginalized groups.

#### 1] Structural violence is based in moral exclusion, which is fundamentally flawed because exclusion is not based on dessert but rather on arbitrarily perceived differences.

Winter and Leighton ’99 |Deborah DuNann Winter and Dana C. Leighton. Winter|[Psychologist that specializes in Social Psych, Counseling Psych, Historical and Contemporary Issues, Peace Psychology. Leighton: PhD graduate student in the Psychology Department at the University of Arkansas. Knowledgable in the fields of social psychology, peace psychology, and justice and intergroup responses to transgressions of justice] “Peace, conflict, and violence: Peace psychology in the 21st century.” Pg 4-5

Finally, to recognize the operation of structural violence forces us to ask questions about how and why we tolerate it, questions which often have painful answers for the privileged elite who unconsciously support it. A final question of this section is how and why we allow ourselves to be so oblivious to structural violence. Susan Opotow offers an intriguing set of answers, in her article Social Injustice. She argues that our normal perceptual cognitive processes divide people into in-groups and out-groups. Those outside our group lie outside our scope of justice. Injustice that would be instantaneously confronted if it occurred to someone we love or know is barely noticed if it occurs to strangers or those who are invisible or irrelevant. We do not seem to be able to open our minds and our hearts to everyone, so we draw conceptual lines between those who are in and out of our moral circle. Those who fall outside are morally excluded, and become either invisible, or demeaned in some way so that we do not have to acknowledge the injustice they suffer. Moral exclusion is a human failing, but Opotow argues convincingly that it is an outcome of everyday social cognition. To reduce its nefarious effects, we must be vigilant in noticing and listening to oppressed, invisible, outsiders. Inclusionary thinking can be fostered by relationships, communication, and appreciation of diversity. Like Opotow, all the authors in this section point out that structural violence is not inevitable if we become aware of its operation, and build systematic ways to mitigate its effects. Learning about structural violence may be discouraging, overwhelming, or maddening, but these papers encourage us to step beyond guilt and anger, and begin to think about how to reduce structural violence. All the authors in this section note that the same structures (such as global communication and normal social cognition) which feed structural violence, can also be used to empower citizens to reduce it. In the long run, reducing structural violence by reclaiming neighborhoods, demanding social justice and living wages, providing prenatal care, alleviating sexism, and celebrating local cultures, will be our most surefooted path to building lasting peace.

#### 2] Debate should deal with real-world consequences—ideal theories ignore the concrete nature of the world and legitimize oppression

Curry ’14 (Dr. Tommy J. Curry, “The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century”, Victory Briefs, 2014, FT)

**Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue**, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” At the most general level, the conceptual chasm between what emerges as actual problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems theoretically—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is actual (in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,” so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to only do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

### Advocacy

#### Plan: The United States federal government ought to ban private ownership of handguns in the United States. I reserve the right to clarify.

### Advantage 1 is Intimate Partner Violence

#### Status quo gun laws disproportionately harm survivors of IPV – reform is necessary

Everytown ’14 [Everytown for Gun Safety, “GUNS AND VIOLENCE AGAINST WOMEN: America's Uniquely Lethal Domestic Violence Problem”, 6/16/14] \*bracketed for offensive language

Like many women who suffer domestic abuse, Zina Daniel had endured years of escalating attacks by her husband and finally sought a restraining order. Under federal law, this prohibited her husband from buying or possessing firearms, and for good reason. “His threats terrorize my every waking moment,” she wrote in her petition. “He said he would kill me if I left him or even contacted the police.”[1](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_1) Zina’s fear was justified: two days later her husband exploited  a loophole in our nation’s laws and bought a gun from an unlicensed seller on the website Armslist.com, evading a background check. Three days later Zina was dead. America’s weak gun laws failed Zina, just as they fail countless other American women each year. In theory, these laws are designed to protect women in Zina’s circumstances, by keeping guns out of the hands of domestic abusers. But in practice, the laws are poorly defined and poorly enforced, and the results are as predictable as they are devastating. Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.[2](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_2) When it comes to gun violence, the most dangerous place for a woman in the developed world is America. Domestic violence in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined.[3](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_3) And people with a history of committing domestic violence [intimate partner violence] are five times more likely to subsequently murder an intimate partner when a firearm is in the house.[4](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_4) At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members.[5](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_5) And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.[6](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_6) Because of the risk that firearms pose when they intersect with domestic violence, a series of federal and state laws aim to keep guns out of the hands of the most dangerous domestic violence offenders. The strongest laws prohibit domestic abusers and stalkers from buying or possessing guns, require background checks for all gun sales, and create processes to ensure that abusers and stalkers surrender the guns already in their possession. When these laws are on the books and enforced properly, they save lives. In the past sixteen years, the background check system has kept hundreds of thousands of guns out of abusers’ hands and prevented countless crimes.[7](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_7) And in states that require background checks for all handgun sales, there are 38 percent fewer women shot to death by intimate partners.[8](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_8) But because of loopholes in these laws and failures to enforce them, they do too little to curb the uniquely lethal American problem of guns and violence against women. Four gaps in the law are particularly harmful: First, federal law does nothing to keep guns out of the hands of abusive dating partners or convicted stalkers. The federal laws prohibiting domestic abusers from buying or owning guns do not apply to dangerous people convicted of misdemeanor stalking offenses or to dating partners—even though more women in the U.S. are killed by their dating partners than by their spouses.[9](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_9) In Everytown’s analysis of mass shootings, 25 percent of perpetrators that targeted an intimate partner had never married them nor had a child together, and thus would not likely qualify as intimate partners under current law. Second, in 35 states, state law does not prohibit all people convicted of misdemeanor domestic violence crimes and all people subject to restraining orders from buying or using guns.[10](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_10) So while domestic abusers in those states cannot possess guns under federal law, local law enforcement and prosecutors do not have the tools they need to enforce those restrictions. Third, federal law (and the law in most states) allows domestic abusers and stalkers to easily evade gun prohibitions by purchasing guns from unlicensed, private sellers. Federal law only requires background checks for gun sales at licensed dealers. Sixteen states require checks on all handgun sales, but in the remaining states, prohibited abusers seeking to avoid a background check have little trouble purchasing a gun from an unlicensed seller they meet online or at a gun show. Prohibited domestic abusers are well aware of this loophole—and have taken advantage of it to deadly effect. In a first-of-its-kind investigation of illegal online gun sales, Mayors Against Illegal Guns found that 1 of 4 prohibited purchasers seeking guns online had a domestic violence arrest. Finally, forty-one states do not require all prohibited domestic abusers to relinquish guns they already own. Without a clear law on the books that provides an enforceable process by which offenders relinquish their firearms, it is too easy for dangerous abusers to keep their guns even after they commit offenses that prohibit them from having them. The strongest state laws establish a clear process that courts and law enforcement can use to make sure prohibited batterers turn in their guns, but far too many states lack these laws or do not enforce them adequately.

#### IPV isn’t just a woman’s problem—it affects many different groups, and is an especially serious problem in LGBTQ communities

Glass ’14 (JD, “2 Studies That Prove Domestic Violence Is an LGBT Issue,” Advocate, <http://www.advocate.com/crime/2014/09/04/2-studies-prove-domestic-violence-lgbt-issue> September 4, 2014)

The National Violence Against Women survey found that 21.5 percent of men and 35.4 percent of women living with a same-sex partner experienced intimate-partner physical violence in their lifetimes, compared with 7.1% and 20.4% for men and women, respectively, with a history of only opposite-sex cohabitation. Transgender respondents had an incidence of 34.6 percent over a lifetime according to a Massachusetts survey. The CDC’s 2010 National Intimate Partner and Sexual Violence Survey, released again in 2013 with new analysis, reports in its first-ever study focusing on victimization by sexual orientation that the lifetime prevalence of rape, physical violence, or stalking by an intimate partner was 43.8 percent for lesbians, 61.1 percent for bisexual women, and 35 percent for heterosexual women, while it was 26 percent for gay men, 37.3 percent for bisexual men, and 29 percent for heterosexual men (this study did not include gender identity or expression). These studies refute the myths that only straight women get battered, that men are never victims, and that women never batter — in other words, that domestic violence is not an LGBT issue. In fact, it is one of our most serious health risks, affecting significant numbers within our communities. “Abuse is not about violence; it’s about control,” says Beth Leventhal, executive director of The Network/La Red in Boston. “You can be just as controlling of someone if you are small — as if you’re large. It’s about using violence or any other means of gaining and maintaining control.” Myths about domestic violence, victims’ fear and shame, a silence that stems from a desire not to harm perceptions of the LGBT community — all these together contribute to making the problem invisible to others. Many people who are suffering either don’t realize that they’re in a terrible situation or don’t know where to go or who to tell. They wonder who will listen, who will believe them.

#### Aff solves – simple relinquishment requirements have seen a 25% reduction in IPV – this is independent of homicide solvency

Mascia ’15 (Jennifer, "Domestic Violence Offenders Abusers Frequently Get to Keep Their Guns. Here Are the Big Reasons Why.," Trace, October 26, 2015, FT)

A handful of states and cities have moved to close this gap in federal law with their own relinquishment requirements. Ten states mandate [intimate partner violence] domestic violence misdemeanants hand over their guns, while 15 states require subjects of domestic violence restraining orders to do so. (Similar federal legislation was introduced in 2014 but did not pass.) Research shows that gun surrender laws have been successful: One 2009 study found that cities in states with relinquishment laws had 25 percent fewer domestic gun homicides compared to cities in states without them. In the 2013 book Reducing Gun Violence in America, Shannon Frattaroli and April M. Zeoli found that “would-be killers do not replace guns with other weapons,” and concluded that restricting firearms access for domestic abusers can save lives. “We know that most domestic violence homicides happen with firearms, and their presence increases risk of homicide,” Krista Niemczyk, policy manager at the California Partnership to End Domestic Violence, tells The Trace. “The impact firearms have on the level of abuse is really staggering.”

#### This outweighs self-protection arguments—it’s not survivors of IPV can’t use guns, just that most choose not to

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Let us concede for the sake of argument that the combination of all of the alternative methods of self-defense that I have proposed would still be marginally less effective than handguns in protecting women against violence in the 10% or so of assaults that involve firearms. The inference to the conclusion that a handgun ban would decrease protection for women results from a comparison between a world in which handguns are banned, and an imaginary world in which most women arm themselves with handguns. In the actual world women may now legally own handguns, but the vast majority choose not to do so. The relevant comparison is between the actual world, in which handguns are used in hundreds of thousands of violent crimes every year, yet in which few women own handguns; and, on the other hand, a world in which a handgun ban substantially reduced the number of handguns owned by both women and their potential assaulters. Whatever protection would be lost by disarming the small number of women who currently own handguns is outweighed by the reduction in violence against women that would be effected by a handgun ban, which would take one of the most potent weapons out of the hands of many potential assaulters. It is true that 50% of those who own guns solely for defense are female.' However, far more men than women own guns." Given women's extra vulnerability, and the fact that there are now many more female-headed households than in the mid-sixties, one would expect more women to own guns. In fact, a Harris poll showed that gun ownership in female-headed households was less than a half of that in homes in which an adult male lived. 35 The indications are that women themselves, whatever their extra vulnerability may be, are generally unconvinced of the need to own handguns for self-defense. The alleged protection for women resulting from the defensive ownership of handguns, then, falls to provide a serious objection to a handgun ban. In contrast, throughout my paper I have detailed the substantial reduction in murder and violent crime that is likely to result from a handgun ban. Women, too, are the beneficiaries in a society in which far fewer of their loved ones are killed and maimed.

#### Other methods solve self-defense—a handgun ban reduces the chance that aggressors are armed

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

The case for allowing women to own handguns, then, hinges on their role as an "equalizer" to compensate for men's superior strength. I do not dispute that they are sometimes sufficient for doing so. My point is that they are not necessary, since there are alternative ways to protect women."' With regard to current or former husbands or boyfriends who threaten violence, restraining orders and police protection can make a difference, though the latter will require substantial public funding. Changing locks, and installing secure doors and burglar alarms can make homes more secure. Martial arts and other forms of unarmed self-defense can be highly effective against an assailant without a firearm, yet these options are dismissed summarily by Silver and Kates, on the grounds that guns are (1) "less arduous," and (2) more effective.' Few xould dispute that guns are more effective; but if unarmed self-defense is sufficiently effective in warding off attacks, using a more lethal method of defense would be gratuitous violence. Nor need we confine our attention to unarmed resistance. Mace is a very effective weapon which can be used to immobilize an assailant, without causing serious injury. It also has the advantages of being even easier to conceal and use than a handgun, and of being far less likely than handguns to be used in the commission of crimes. Being neither lethal nor capable of causing permanent injuries, it will be less effective in intimidating victims into submission. Against the 10% or so of women's assailants who do carry firearms, mace would be less effective, but it has to be realized that handguns are also of less use against an assailant with firearms. Moreover, my proposed handgun ban would make it less likely that he would be armed in the first place. In contrast, a likely result of women carrying handguns is the same proliferation described in the previous section: more of their assailants would carry guns, in order to ensure the success of their attack.

### Advantage 2 is Culture of Violence

#### Handgun violence is deeply ingrained in American culture to the point of normalization – easy availability of guns is the root cause

Kairys ’07 [James B. Jacobs and David Kairys, Professor of Law, Temple University, “Debate, Can Handguns Be Effectively Regulated?”, 156 U. PA. L. REV. PENNUMBRA 188, 2007]

However, Professor Jacobs ignores or underplays the reality and significance of the easy availability of handguns on urban streets and, increasingly, on the streets of many suburban and rural communities—which is enabled by the lack of regulation and the surprisingly legal channeling of handguns to criminals and youth. The terrible toll handgun violence exacts on individuals, families, communities and cities is traceable to the regularly ignored, essentially unregulated, handgun marketing system. Professor Jacobs makes some good points—some handgun regulation proposals that have gotten widespread attention seem more feel-good than effective, and there is no easy fix. But much can and should be done. The main problem is what I have called the “regrettable normalcy” with which we regularly approach handgun violence, the pervasive, numbing acceptance that fifty handgun deaths a day is [are] a normal or inevitable aspect of life in the U.S.A.

#### The proliferation of guns has flooded inner city communities that creates an every-day war on blacks—empowerment is impossible when even *survival* is in question

Firmin DeBrabander 15 [associate professor of philosophy at Maryland Institute College of Art, has written social and political commentary for numerous publications, including the Baltimore Sun, Common Dreams, Counterpunch, and the New York Times] “Do Guns Make Us Free?: Democracy and the Armed Society”, Yale University Press, 19 May 2015, FT

But this is far from the real thing. Gruesome Hollywood depictions spark deep, irrational fear of crime, but they do not communicate or reflect its real face, which is readily seen— if we care to look— in our inner cities and countless poor communities across America. While Americans eagerly devour spectacular bloodshed as entertainment— and use that to justify their need for a gun, indeed, many guns— hundreds of people meet an unglorious, unremarked death on the streets of cities like Baltimore every year. The television viewing public does not come to know the mean conditions of their demise, the quick, blunt ends of desperate lives. The fates of Baltimore’s murdered poor are hardly celebrated or studied by the media, and are instead belittled or swept under the rug by police and politicians. Suburbanites commute to work every day amidst the violence that afflicts Baltimore’s most desperate neighborhoods on either side of the highway; they flock to football and baseball games downtown, oblivious to the misery that rules the city’s roughest streets and how they are so surely insulated from it. For poor blacks— who are disproportionately affected by violent crime— the America they know can be a veritable war zone. According to a Bureau of Justice Statistics report, between the years 1976 and 2005, the homicide rate for white Americans was 4.8 per 100,000, but an astounding 36.9 [per 100,000] for blacks. 80 The United States Conference of Mayors, one of the loudest voices calling for gun control, noted in 2012 that “homicide is the leading cause of death for African American males between the ages of 15 and 24.” African Americans comprise just 15 percent of the nation’s child population, but “made up 45 percent of child gun deaths in 2008 and 2009,” the Children’s Defense Fund reports. 82 Many of our nation’s mayors, as well as many African Americans, complained following the Sandy Hook shootings, when the American public seemed newly aware of gun violence, that the constant flood of gun deaths in our inner cities is neglected and ignored. The Washington Post ran an article on residents of the most dangerous neighborhood in the District, noting their frustration that the killings “in mostly white, middle class Newtown, Connecticut” spurred political concern. “Twenty-six people died in Sandy Hook Elementary. In the District’s Sixth Police District, an area of fewer than 10 square miles … 19 lives were lost to gun violence last year and 55 people were wounded in shootings. The year before that, 22 people were killed and 35 were wounded. Eighty-eight lives were lost in the city last year.” 83 A quarter of Washington’s murders took place in one small part of the city, a neighborhood subjected to a merciless onslaught of violence. It is no surprise that inner-city residents tend to find the notion of “gun rights” a bit offensive. Of the homicide epidemic that afflicts the African American community at large, the Centers for Disease Control points out, “more than 90 percent of the violence is from other blacks, mostly from guns.” 84 As one Washington resident put it, “[guns] are for wars, and we have a war in the inner city.” 85 It is hardly conceivable that the rest of America would tolerate all the talk equating gun rights and freedom if middle-class whites were killing one another at similar rates.

#### Widespread gun ownership fuels a systematic climate of fear in black communities—perpetuates police brutality

Yglesias ’14 [Matthew Yglesias, "We shouldn't talk about Ferguson without talking about guns”, Vox, November 26, 2014]

In this case, the drawback is a straightforward consequence of America's approach to firearms. A well-armed citizenry required an even-better-armed constabulary. Widespread gun ownership creates a systematic climate of fear on the part of the police. The result is a quantity of police shootings that, regardless of the facts of any particular case, is just staggeringly high. Young black men, in particular, are paying the price for America's gun culture. Police killings in international context I've seen [this chart from the Economist](http://www.economist.com/news/united-states/21613272-police-missouri-suburb-demonstrate-how-not-quell-riot-overkill) many times since Brown's death. But I think it's been misinterpreted. Ferguson is in many ways all [about race and racism](http://www.vox.com/2014/11/25/7283327/michael-brown-racist-stereotypes). But this chart reveals an important sense in which it's not about that at all. If you know anything about the UK or Germany, you'll know that these are not even remotely societies who've eliminated the problem of racism. If anything, having struggled with it for less time than the United States, they're even worse than we are. Where they outperform us is in drastically reducing the civilian death toll without ending racism or entrenched poverty or any of the St. Louis area's other problems. A well-armed population leads to police shootings of the unarmed in two ways. One is that police officers have to be constantly vigilant about the possibility that they are facing a gun-wielding suspect. Cleveland police officers [shot and killed a 12 year-old boy](http://www.vox.com/2014/11/24/7275297/tamir-rice-police-shooting)recently, because they not-entirely-unreasonably thought his toy gun was a real gun. The other, more relevant to the Michael Brown case, is that when civilians are well-armed, police have to be as well. That turns every encounter into a potentially lethal situation. The officer always has to worry that if he doesn't reach for and use his own gun, the suspect will. In his [grand jury testimony](http://www.vox.com/2014/11/25/7281165/darren-wilsons-story-side), Wilson pointedly claims that at one point Brown put his right hand "under his shirt into his waistband" — i.e., made a motion that could be plausibly construed as reaching for a gun. No guns, no shootings The big reason British cops don't shoot civilians is that cops in the United Kingdom don't have guns. If a special situation requiring firearms arises, the call is put out for a [specially trained firearms unit](http://www.pfoa.co.uk/326/uk-firearms-units). But an unarmed teenager shoplifting blunts doesn't make the cut, so unarmed teens don't get shot by British cops. It was genuinely striking as an American to witness the heavy police presence in Cardiff this September around the NATO summit. The relatively small city was positively flooded with cops. Unarmed cops. Cops who walked around town chatting with locals and keeping an eye on things. Armed police are such a curiosity that I heard some middle-aged Welsh ladies asking an officer if any armed units were in town to gawk at (they were, but the officer professed not to know their whereabouts). Radley Balko's excellent book, [The Rise of the Warrior Cop](http://www.amazon.com/Rise-Warrior-Cop-Militarization-Americas/dp/1610394577), offers plenty of examples of overly militarized policing. But American cops don't carry weapons because they're bloodthirsty or insane. The basic reason American police departments are so much better-armed than their British counterparts is that Americans civilians are much better armed. There is about [one gun per person](http://www.vox.com/cards/gun-violence-facts/guns-per-capita-america-us) in the United States, and the police legitimately need to be able to wield more force than the citizens they are policing. In America there are lots of guns, so the cops need lots of guns. Consequently, people get shot.

#### **A masculinized gun culture causes a laundry list of oppressive impacts – racism, sexism, ableism, and colonialism**

Gahman ’14 (Levi, University of British Columbia, “Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas,” *Gender, Place & Culture: A Journal of Feminist Geography* 2014, Academia) OS

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger sociopolitical structures that influence the decisions people are allowed to make. As such, the interlocking influences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergymembers, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reification of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reaffirmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualifiers noting that ‘safety and respect’ are first and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that firearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a rifle that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signifies a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow 1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codifies their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

#### Aff causes a long term *cultural shift* that bolsters solvency

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

#### Bans are effective—highest quality data flows aff

Dixon ’11 (Nicholas Dixon, associate professor of philosophy, Alma College, “Handguns, Philosophers, and the Right to Self-Defense,” *International Journal of Applied Philosophy*, Vol. 25 No. 2, 2011)

Before turning to nonconsequentialist defenses of handguns based on the right to self-defense, a brief sketch of my original utilitarian argument for prohibition is in order. Its starting point is a striking set of international data. The United States far outstrips five other developed countries (Australia, Canada, Israel, Sweden, and the United Kingdom) in both handgun ownership and handgun homicide rates per 100,000 people. The United States' handgun homicide rate is over twenty times greater than that in these other countries, and its handgun ownership rate is over nine times as high. 4 My reason for singling out handguns for prohibition in the United States is that they are, in this country, the firearm of choice of criminals, being used in at least 72.2 percent of firearms homicides in the years 2006—2010.5 Substantially reducing the number of handguns in the U.S. will very likely substantially reduce the rate of total homicide. This prediction is based not only on the noted statistics, but also on the following considerations, which constitute a rudimentary causal theory. First, a large proportion of these crimes is currently committed with handguns. Since 1970, approximately one-half of the homicides in the U.S. have been committed with handguns. In 2006-2010, an average of 6,909 homicides (48.7 percent of all homicides) was committed per year With handguns.6 Second, because of their cheapness, concealability, ease of use, and lethality, handguns are ideally suited to the commission of crimes and criminals are highly unlikely to be able to commit as many violent crimes by switching to alternative weapons. Third, other weapons that assailants might substitute for firearms are far less lethal than handguns, and in the case of firearms other than handguns, although the wounds that they inflict are more serious, their lower concealability makes it harder to inflict wounds in the first place.' Since the appearance of my first articles, social scientists have performed far more sophisticated statistical analyses of much more comprehensive comparative data, and they provide strong support for my causal hypothesis that prohibition would reduce homicide in the U S. In three separate studies of fourteen, eighteen, and twenty-one countries, Martin Killias has found that the prevalence of firearms is strongly correlated with the firearms homicide rate. The first study indicated a correlation of .746 (where 1 is a perfect correlation), with a probability of less than 0.01 that this would happen by chance, the second produced a correlation of .476—.610 (p<0.031) and the third indicated a correlation of .54 (p<0.05) when the countries with extreme scores are excluded.10 More important, both Killias's and other studies have shown a correlation between gun ownership and total (gun plus non-gun) homicide rates. Most notably, in a 2000 study of twenty-six high-income countries, David Hemenway and Matthew Miller found a correlation of .69 (p<0.00). This study is of special interest because it investigated twenty-six of the twenty-seven countries with a population of over one million defined by the World Bank as high income or highly industrialized. Focusing on a more homogenous group of countries helps to narrow attention to the variable in question—firearms—and minimizes the confounding effect of other causes of homicide. Hemenway and Miller's study found that the overall homicide rate in the U.S. was 5.98 times higher than in the other twenty-five countries, thus obvi- ating the objection that the total homicide rate in these other countries could be just as high as in the U.S., due 'to non-handgun homicides. Finally, in a study of twelve countries using some of Killias's data, Gregg Lee Carter concludes that total homicide is correlated with gun ownership at a rate of .67 and with handgun ownership at a rate of .84." In its review of the literature on the connection between firearms and violence, the National Academy of Science concludes that "in comparisons among countries, there is a substantial association between gun ownership and homicide." 14 To complete the argument that these correlations indicate that handguns cause murder, we need to rule out alternative explanations of the data. First, causation may operate in reverse, in that handgun ownership may be a response to high homicide rates, not a cause, because some people buy firearms to protect them- selves against crime. Second, both handgun ownership and homicide rates may be a function of a third factor, while not affecting each other. In this vein, some proponents of gun rights argue that the United States' very high handgun owner- ship and overall homicide rates are both caused by some third factor unrelated to guns. The second hypothesis is hard to reconcile with the data. Any causes that lead Americans to buy more guns and commit more homicides than inhabitants of other affluent societies—for example, a greater propensity to violence—should equally affect homicide in general and not just homicides committed with firearms. What we find, in contrast, is a far greater disparity between the United States and Western European countries in firearms homicide than in non-gun homicide. The American firearm homicide rate is 4.96 times higher than the average rate in eighteen Western European countries, but its non-gun homicide rate is only 1.96 times higher than the European rate.15 While this data lends some support for the existence of a greater propensity to violence in the United States independent of firearms, the only plausible explanation of the far greater disparity in firearms homicide is that the prevalence of guns is itself a significant causal factor.

#### A handgun ban reduces violence and decreases the illicit market

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

But this does not resolve the issue, for it does not establish what gun control advocates claim it shows, namely, that gun control is an effective way of substantially lessening the murder rate. First, a statistical correlation shows that two things are linked, but it does not tell us if the first caused the second, the second caused the first, or if there is some third factor which caused both. Second, even if the items are causally related, we do not know that changing the cause will automatically and straightforwardly change the effect since another factor might intervene to sustain the effect. Gun advocates proffer their own armchair explanation for the correlations: These correlations reflect the character of the respective social and political systems. The European countries where murder rates are lower have more social solidarity and are more heterogeneous than the United States. Whether these social factors explain all the correlation is debatable, but I am confident they explain some of it. Were the United States to regulate guns as tightly as most European countries, our murder rates would arguably fall, but they would not immediately plummet to their levels. We might settle the issue if we conducted controlled experiments, randomly dividing our population in half, giving half of them guns, removing all the guns from the other half, and then monitoring the murder rate. Of course, that would be morally unacceptable, politically unrealistic, and probably even scientifically unachievable. Before we had enough time to exclude all possible intervening causes, sufficient time might have elapsed so that new intervening causes could have emerged. But we are not in the dark. We have empirical evidence that helps adjudicate between competing explanations of the correlation. First, we have empirical evidence, bolstered by armchair arguments, that guns are more lethal than other weapons. Some claim the ratio is 5:1; no estimates are lower than 2:1 (Reiss, A. J., Jr. and Roth, J. A. 1993: 260). This partly explains the strong correlation between guns and homicides. If people get angry the same number of times, those using the most lethal weapons are more likely to kill their victims. Second, the nature of secondary gun markets helps explain how the widespread availability of guns increases crime in general, and homicides in specific. Various opponents of gun control claim that "If we outlaw guns, only outlaws will have guns." Armchair arguments suggest why this is a silly claim. Where, one might ask, do criminals get their guns? They often steal them or buy them from those who purchased them legally. Even guns obtained from other criminals are usually traceable to people who purchased them legally. Empirical evidence supports this armchair supposition. Most criminals report having stolen their guns, received them from a friend or family member, or purchased them from someone who had stolen it. At least half a million guns are stolen each year (Cook, P. J. et al. 1995: 81), and these swell the numbers of guns available illegally. Not only does the primary (legal) market effect the availability of guns on secondary markets, it also affects the price of guns on those markets, much "like the analogous markets for motor vehicles or prescription drugs" (Cook, P. J. et al. 1995: 71). As we restrict availability of guns in the primary market, the supply of guns in the secondary markets decreases and their cost increases (Cook, P. J. et al. 1995: 73). This increase in cost will diminish teenagers' ability to obtain guns, since they are least able to afford hefty prices. Since teenagers commit most deadly crimes, decreasing the availability of legal guns will thereby decrease the number of homicides. Conversely, having huge numbers of legally available guns increases the number of guns on secondary markets and typically lowers their price. This makes it easier for prospective criminals, including teenagers, to obtain guns. Third, having a gun around the house (or on the person) - even for self-protection - apparently increases the chance that someone in the family will kill themselves with the gun, or will be the victim of a homicide or an accident. One study found that "for every time a gun in the home was involved in a self-protection homicide, they noted 1.3 unintentional deaths, 4.5 criminal homicides, and 37 firearm suicides" (Reiss, A. J., Jr. and Roth, J. A. 1993: 267). This implies that for every case where someone in a gun-owning household kills an intruder to thwart a life-threatening attack, nearly 43 people in similar households will die from a gunshot. Taken together the evidence does not prove that widespread availability of guns increases the number of homicides. However, that empirical evidence, bolstered by earlier armchair arguments, makes the claim highly plausible.

### Underview

#### 1] Let us weigh the fiated implications of the plan against the alternative—a) key to aff engagement, since otherwise they moot the entirety of the 1AC and I’m forced to re-establish offense in the 1AR which exacerbates side bias, b) stasis point—ensures the plan text remains the stable locus of argumentation—key to reciprocity since otherwise they can just critique 1 tiny thing I did in the 1AC, and key to clash since the discussion is centered and predictable which solves irresolvable clash of civilizations debates c) prefer concrete impacts—other strategies are methods of abstraction that distract us from real-world consequences via high theorizing and unproductive critique—that means that the aff outweighs nebulous impacts

#### 2] The role of the ballot is to vote for the best policy option—the law is malleable—debating it is the only way to affect change

Hedrick ’12 (Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400) PO

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law

and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

# 1AC Modules

## Plan

### Plan

#### Plan: The United States federal government ought to ban private ownership of handguns in the United States.

### Plan 2

#### The United States federal government will prohibit the ownership of private handguns and implement a reimbursement policy to collect handguns currently in circulation. I reserve the right to clarify.

Etzioni and Hellend ’92 [Amitai Etzioni and Steven Hellend, “The Case for Domestic Disarmament”, The Communitarian Network, 1992]

PROPOSED HANDGUN LEGISLATION Prohibits the importation, exportation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns. Establishes a "grace period" during which time handguns may be turned into any law enforcement agency with impunity and for reimbursement at the greater of either $25 or the fair market value of the gun. Allows an exception for: \* agencies of federal, state, or local government (military and law enforcement) \* collectors of antique (nonserviceable) firearms \* federally-licensed handgun sporting clubs; the clubs must be founded for bonafide target or sport shooting; must maintain possession and control of the handguns used by its members; must have procedures and facilities for keeping the handguns secure when not in a local law enforcement facility; and may not have as members persons whose membership would violate state of federal law \* federally-licensed professional security guard services [operating with similar conditions as those set for handgun clubs] Sets up penalties of up to $5,000, or up to 5 years imprisonment, or both, for violation of the provisions of the Act. We suggest the following friendly amendment to Senator Chafee's proposed legislation: Extend the above prohibitions to ammunition for handguns, allow for the exceptions to apply also to ammunition, and establish a "grace period" during which those who turn over ammunition to any law enforcement agency would be reimbursed at the fair market value.

## Soft Power

### Long

#### America’s “gun disease” is killing soft power now—shift towards gun laws is key independent of solvency

Freedland ’13 (Jonathan Freedland is the Guardian's executive editor, Opinion, overseeing Comment is free, editorials and long reads. He continues to write a weekly column. He is also a regular contributor to the New York Times and the New York Review of Books, and presents BBC Radio 4's contemporary history series, The Long View. In 2014 he was awarded the Orwell special prize for journalism, having been named columnist of the year in the 2002 What the Papers Say awards. He has also published seven books, including five bestselling thrillers under the name Sam Bourne. “Washington DC shootings: America's gun disease diminishes its soft power,” 9/17, <http://www.theguardian.com/commentisfree/2013/sep/17/washington-dc-shootings-america-gun-disease>) OS bracketed for gender

But that would be to miss the wider point. America's gun sickness – which has turned massacres of this kind into a fairly regular, rather than exceptionally rare occurrence – endangers the US not solely because it can lead military personnel to lose their lives, nor even because it can lead to the murder of schoolchildren, as it did at Sandy Hook elementary school last year, or the death of young movie-goers, as it did in Aurora, Colorado, also last year – dreadful though those losses are. The foreign policy experts who gather in the thinktanks and congressional offices not far from the navy yard often define national security to encompass anything that touches on America's standing in the world. That ranges from its ability to project military force across the globe to its attractiveness, its "soft power". For decades, this latter quality has been seen as one of the US's primary assets, central to its ability to lead and persuade other nations. But America's gun disease diminishes its soft power. It makes the country seem less like a model and more like a basket case, afflicted by a pathology other nations strive to avoid. When similar gun massacres have struck elsewhere – including in Britain – lawmakers have acted swiftly to tighten controls, watching as the gun crime statistics then fell. In the decade after the rules were toughened in Australia in 1996, for example, firearm-related homicides fell by 59%, while suicides involving guns fell by 65%. But the US stays stubbornly where it is, refusing to act. When President Obama last tried, following the deaths of 20 children and six staff at Sandy Hook at the end of 2012, his bill fell at the first senate hurdle. He had not proposed banning a single weapon or bullet – merely expanding the background checks required of someone wanting to buy a gun. But even that was too much. The national security pundits who worry how a US president is perceived when he is incapable of protecting the lives of innocent Syrians abroad should think how it looks when he is incapable of protecting the lives of innocent Americans at home. On guns, the US – so often the world leader in innovation and endeavour – is the laggard, stuck at the bottom of the global class. Bill Clinton perfectly distilled the essence of soft power when he said in 2008, "People the world over have always been more impressed by the power of our example than by the example of our power." He was right. But every time a disturbed or angry individual is able to vent [their] rage with an assault weapon, killing innocents with ease, the power of America's example fades a little more.

#### It’s a question of perception, and specific policy stances determine sopo

Nye ’04 (Joseph S., University Distinguished Service Professor, and former Dean of the Harvard's Kennedy School of Government. He received his bachelor's degree summa cum laude from Princeton University, won a Rhodes Scholarship to Oxford University, and earned a PhD in political science from Harvard. He has served as Assistant Secretary of Defense for International Security Affairs, Chair of the National Intelligence Council, and Deputy Under Secretary of State for Security Assistance, Science and Technology. His most recent books include The Power to Lead; The Future of Power; Presidential Leadership and the Creation of the American Era; and Is the American Century Over. He is a fellow of the American Academy of Arts and Sciences, the British Academy, and the American Academy of Diplomacy. In a recent survey of internatinal relations scholars, he was ranked as the most influential scholar on American foreign policy, and in 2011, Foreign Policy named him one of the top 100 Global  Thinkers, Soft Power: The Means to Success in World Politics, New York: Public Affairs, 2004) PO

American soft power is eroded more by policies like capital punishment or the absence of gun control, where we are the deviants in opinion among advanced countries. American support for the death penalty, for example, meets disapproval from two-thirds of the public in Great Britain, France, Germany, and Italy.92 Similarly, the American domestic response to terrorism after 91r I runs sorile risk of reducing our soft-power resources. Attitudes toward immigration have hardened, and new visa procedures have discouraged some foreign students. A decline in religious tolerance toward Muslims hurts the image of the United States in Muslim countries such as Pakistan and Indonesia as well as in the Arab world.

#### Independently, crime destroys soft power

Falk ’12 (Richard Falk, United Nations Special Rapporteur on Palestinian human rights. “When soft power is hard,” Al Jazzera Opinion. July 28th, 2012. http://www.aljazeera.com/indepth/opinion/2012/07/201272212435524825.html)

This unabashed avowal of imperial goals is the main thesis of the article, perhaps most graphically expressed in the following words: "The United States can increase the effectiveness of its military forces and make the world safe for soft power, America's inherent comparative advantage." As the glove fits the hand, **soft power** complements hard power within the wider enterprise of transforming the world in the United States' image, or at least in the ideal version of the United States' sense of self. The authors acknowledge (rather parenthetically) that their strategy **may not work if the US continues** much longer **to be seen unfavourably abroad as** a national abode of drugs, crime, violence, fiscal irresponsibility, family breakdown, and political gridlock. **They make a** rather meaningless **plea to restore "a** **healthy democracy" at home as a prelude to** the heavy lifting of **democratising the world, but they** do not pretend medical knowledge, and **offer no prescriptions for restoring the health of the American body politic.** And now, 16 years after their article appeared, it would appear that the adage, "disease unknown, cure unknown", applies.

#### Soft power is key to international cooperation—that solves *disease* and *warming*

Nye ’08 (Joseph S. Nye Jr., created the theory of “soft power,” distinguished service professor and former dean of Harvard’s Kennedy School of Government, PhD in Political Science from Harvard, 3/7/08, http://abs.sagepub.com/cgi/content/abstract/51/9/1351)

Etzioni is correct that a successful policy of security first will require the combi- nation of hard and soft power. Combining the two instruments so that they reinforce rather than undercut each other is crucial to success. Power is the ability to get the outcomes one wants. In the past,it was assumed that military power dominated most issues, but in today’s world, the contexts of power differ greatly on military, economic, and transnational issues. These latter problems, including everything from climate change to pandemics to transnational terrorism, pose some of the greatest challenges we face today, and yet few are susceptible to purely military solutions. The only way to grapple with these problems is through cooperation with others, and that requires smart power—a strategy that combines the soft power of attraction with the hard power of coercion. For example, American and British intelligence agencies report that our use of hard power in Iraq without sufficient attention to soft power has increased rather than reduced the number of Islamist terrorists throughout the past 5 years. The soft power of attraction will not win over the hard core terrorists but it is essential in winning the hearts and minds of mainstream Muslims, without whose sup- port success will be impossible in the long term. Yet all the polling evidence suggests that American soft power has declined dramatically in the Muslim world. There is no simple military solution that will produce the outcomes we want. Etzioni is clear on this and highly critical of the failure to develop a smart power strategy in Iraq. One wishes, however, that he had spent a few more pages developing one for Iran.

#### Disease risks extinction

DUJS ’09 (Dartmouth Undergraduate Journal of Science,  [Human Extinction: The Uncertainty of Our Fate http://dujs.dartmouth.edu/spring-2009/human-extinction-the-uncertainty-of-our-fate#.U95moKNeJHQ](file:///C:\Users\rwgallow\AppData\Local\Temp\Human%20Extinction:%20The%20Uncertainty%20of%20Our%20Fate%20http:\dujs.dartmouth.edu\spring-2009\human-extinction-the-uncertainty-of-our-fate#.U95moKNeJHQ), Accessed 8/3/2014)

In the past, humans have indeed fallen victim to viruses. Perhaps the best-known case was the bubonic plague that killed up to one third of the European population in the mid-14th century (7). While vaccines have been developed for the plague and some other infectious diseases, new viral strains are constantly emerging — a process that maintains the possibility of a pandemic-facilitated human extinction. Some surveyed students mentioned AIDS as a potential pandemic-causing virus. It is true that scientists have been unable thus far to find a sustainable cure for AIDS, mainly due to HIV’s rapid and constant evolution. Specifically, two factors account for the virus’s abnormally high mutation rate: 1. HIV’s use of reverse transcriptase, which does not have a proof-reading mechanism, and 2. the lack of an error-correction mechanism in HIV DNA polymerase (8). Luckily, though, there are certain characteristics of HIV that make it a poor candidate for a large-scale global infection: HIV can lie dormant in the human body for years without manifesting itself, and AIDS itself does not kill directly, but rather through the weakening of the immune system. However, for more easily transmitted viruses such as influenza, the evolution of new strains could prove far more consequential. The simultaneous occurrence of antigenic drift (point mutations that lead to new strains) and antigenic shift (the inter-species transfer of disease) in the influenza virus could produce a new version of influenza for which scientists may not immediately find a cure. Since influenza can spread quickly, this lag time could potentially lead to a “global influenza pandemic,” according to the Centers for Disease Control and Prevention (9). The most recent scare of this variety came in 1918 when bird flu managed to kill over 50 million people around the world in what is sometimes referred to as the Spanish flu pandemic. Perhaps even more frightening is the fact that only 25 mutations were required to convert the original viral strain — which could only infect birds — into a human-viable strain (10).

#### Warming causes extinction

Mazo ’10 (Jeffrey Mazo – PhD in Paleoclimatology from UCLA, Managing Editor, Survival and Research Fellow for Environmental Security and Science Policy at the International Institute for Strategic Studies in London, 3-2010, “Climate Conflict: How global warming threatens security and what to do about it,” pg. 122)

The best estimates for global warming to the end of the century range from 2.5-4.~C above pre-industrial levels, depending on the scenario. Even in the best-case scenario, the low end of the likely range is 1.goC, and in the worst 'business as usual' projections, which actual emissions have been matching, the range of likely warming runs from 3.1--7.1°C. Even keeping emissions at constant 2000 levels (which have already been exceeded), global temperature would still be expected to reach 1.2°C (O'9""1.5°C)above pre-industrial levels by the end of the century." Without early and severe reductions in emissions, the effects of climate change in the second half of the twenty-first century are likely to be catastrophic for the stability and security of countries in the developing world - not to mention the associated human tragedy. Climate change could even undermine the strength and stability of emerging and advanced economies, beyond the knock-on effects on security of widespread state failure and collapse in developing countries.' And although they have been condemned as melodramatic and alarmist, many informed observers believe that unmitigated climate change beyond the end of the century could pose an existential threat to civilisation." What is certain is that there is no precedent in human experience for such rapid change or such climatic conditions, and even in the best case adaptation to these extremes would mean profound social, cultural and political changes.

#### US leadership prevents great power war and existential governance crises

Brooks et al. ’13 (Stephen, Associate Professor of Government at Dartmouth College, John Ikenberry is the Albert G. Milbank Professor of Politics and International Affairs at Princeton University in the Department of Politics and the Woodrow Wilson School of Public and International Affairs, William C. Wohlforth is the Daniel Webster Professor in the Department of Government at Dartmouth College “Don’t Come Home America: The Case Against Retrenchment,” International Security, Vol. 37, No. 3 (Winter 2012/13), pp. 7–51)

A core premise of deep engagement is that it prevents the emergence of a far more dangerous global security environment. For one thing, as noted above, the United States’ overseas presence gives it the leverage to restrain partners from taking provocative action. Perhaps more important, its core alliance commitments also deter states with aspirations to regional hegemony from contemplating expansion and make its partners more secure, reducing their incentive to adopt solutions to their security problems that threaten others and thus stoke security dilemmas. The contention that engaged U.S. power dampens the baleful effects of anarchy is consistent with influential variants of realist theory. Indeed, arguably the scariest portrayal of the war-prone world that would emerge absent the “American Pacifier” is provided in the works of John Mearsheimer, who forecasts dangerous multipolar regions replete with security competition, arms races, nuclear proliferation and associated preventive war temptations, regional rivalries, and even runs at regional hegemony and full-scale great power war. 72 How do retrenchment advocates, the bulk of whom are realists, discount this benefit? Their arguments are complicated, but two capture most of the variation: (1) U.S. security guarantees are not necessary to prevent dangerous rivalries and conflict in Eurasia; or (2) prevention of rivalry and conflict in Eurasia is not a U.S. interest. Each response is connected to a different theory or set of theories, which makes sense given that the whole debate hinges on a complex future counterfactual (what would happen to Eurasia’s security setting if the United States truly disengaged?). Although a certain answer is impossible, each of these responses is nonetheless a weaker argument for retrenchment than advocates acknowledge. The first response flows from defensive realism as well as other international relations theories that discount the conflict-generating potential of anarchy under contemporary conditions. 73 Defensive realists maintain that the high expected costs of territorial conquest, defense dominance, and an array of policies and practices that can be used credibly to signal benign intent, mean that Eurasia’s major states could manage regional multipolarity peacefully without the American pacifier. Retrenchment would be a bet on this scholarship, particularly in regions where the kinds of stabilizers that nonrealist theories point to—such as democratic governance or dense institutional linkages—are either absent or weakly present. There are three other major bodies of scholarship, however, that might give decisionmakers pause before making this bet. First is regional expertise. Needless to say, there is no consensus on the net security effects of U.S. withdrawal. Regarding each region, there are optimists and pessimists. Few experts expect a return of intense great power competition in a post-American Europe, but many doubt European governments will pay the political costs of increased EU defense cooperation and the budgetary costs of increasing military outlays. 74 The result might be a Europe that is incapable of securing itself from various threats that could be destabilizing within the region and beyond (e.g., a regional conflict akin to the 1990s Balkan wars), lacks capacity for global security missions in which U.S. leaders might want European participation, and is vulnerable to the influence of outside rising powers. What about the other parts of Eurasia where the United States has a substantial military presence? Regarding the Middle East, the balance begins to swing toward pessimists concerned that states currently backed by Washington— notably Israel, Egypt, and Saudi Arabia—might take actions upon U.S. retrenchment that would intensify security dilemmas. And concerning East Asia, pessimism regarding the region’s prospects without the American pacifier is pronounced. Arguably the principal concern expressed by area experts is that Japan and South Korea are likely to obtain a nuclear capacity and increase their military commitments, which could stoke a destabilizing reaction from China. It is notable that during the Cold War, both South Korea and Taiwan moved to obtain a nuclear weapons capacity and were only constrained from doing so by a still-engaged United States. 75 The second body of scholarship casting doubt on the bet on defensive realism’s sanguine portrayal is all of the research that undermines its conception of state preferences. Defensive realism’s optimism about what would happen if the United States retrenched is very much dependent on its particular—and highly restrictive—assumption about state preferences; once we relax this assumption, then much of its basis for optimism vanishes. Specifically, the prediction of post-American tranquility throughout Eurasia rests on the assumption that security is the only relevant state preference, with security defined narrowly in terms of protection from violent external attacks on the homeland. Under that assumption, the security problem is largely solved as soon as offense and defense are clearly distinguishable, and offense is extremely expensive relative to defense. Burgeoning research across the social and other sciences, however, undermines that core assumption: states have preferences not only for security but also for prestige, status, and other aims, and they engage in trade-offs among the various objectives. 76 In addition, they define security not just in terms of territorial protection but in view of many and varied milieu goals. It follows that even states that are relatively secure may nevertheless engage in highly competitive behavior. Empirical studies show that this is indeed sometimes the case. 77 In sum, a bet on a benign postretrenchment Eurasia is a bet that leaders of major countries will never allow these nonsecurity preferences to influence their strategic choices. To the degree that these bodies of scholarly knowledge have predictive leverage, U.S. retrenchment would result in a significant deterioration in the security environment in at least some of the world’s key regions. We have already mentioned the third, even more alarming body of scholarship. Offensive realism predicts that the withdrawal of the American pacifier will yield either a competitive regional multipolarity complete with associated insecurity, arms racing, crisis instability, nuclear proliferation, and the like, or bids for regional hegemony, which may be beyond the capacity of local great powers to contain (and which in any case would generate intensely competitive behavior, possibly including regional great power war). Hence it is unsurprising that retrenchment advocates are prone to focus on the second argument noted above: that avoiding wars and security dilemmas in the world’s core regions is not a U.S. national interest. Few doubt that the United States could survive the return of insecurity and conflict among Eurasian powers, but at what cost? Much of the work in this area has focused on the economic externalities of a renewed threat of insecurity and war, which we discuss below. Focusing on the pure security ramifications, there are two main reasons why decisionmakers may be rationally reluctant to run the retrenchment experiment. First, overall higher levels of conflict make the world a more dangerous place. Were Eurasia to return to higher levels of interstate military competition, one would see overall higher levels of military spending and innovation and a higher likelihood of competitive regional proxy wars and arming of client states—all of which would be concerning, in part because it would promote a faster diffusion of military power away from the United States. Greater regional insecurity could well feed proliferation cascades, as states such as Egypt, Japan, South Korea, Taiwan, and Saudi Arabia all might choose to create nuclear forces. 78 It is unlikely that proliferation decisions by any of these actors would be the end of the game: they would likely generate pressure locally for more proliferation. Following Kenneth Waltz, many retrenchment advocates are proliferation optimists, assuming that nuclear deterrence solves the security problem. 79 Usually carried out in dyadic terms, the debate over the stability of proliferationchanges as the numbers go up. Proliferation optimism rests on assumptions of rationality and narrow security preferences. In social science, however, such assumptions are inevitably probabilistic. Optimists assume that most states are led by rational leaders, most will overcome organizational problems and resist the temptation to preempt before feared neighbors nuclearize, and most pursue only security and are risk averse. Confidence in such probabilistic assumptions declines if the world were to move from nine to twenty, thirty, or forty nuclear states. In addition, many of the other dangers noted by analysts who are concerned about the destabilizing effects of nuclear proliferation—including the risk of accidents and the prospects that some new nuclear powers will not have truly survivable forces—seem prone to go up as the number of nuclear powers grows. 80 Moreover, the risk of “unforeseen crisis dynamics” that could spin out of control is also higher as the number of nuclear powers increases. Finally, add to these concerns the enhanced danger of nuclear leakage, and a world with overall higher levels of security competition becomes yet more worrisome. The argument that maintaining Eurasian peace is not a U.S. interest faces a second problem. On widely accepted realist assumptions, acknowledging that U.S. engagement preserves peace dramatically narrows the difference between retrenchment and deep engagement. For many supporters of retrenchment, the optimal strategy for a power such as the United States, which has attained regional hegemony and is separated from other great powers by oceans, is offshore balancing: stay over the horizon and “pass the buck” to local powers to do the dangerous work of counterbalancing any local rising power. The United States should commit to onshore balancing only when local balancing is likely to fail and a great power appears to be a credible contender for regional hegemony, as in the cases of Germany, Japan, and the Soviet Union in the midtwentieth century. The problem is that China’s rise puts the possibility of its attaining regional hegemony on the table, at least in the medium to long term. As Mearsheimer notes, “The United States will have to play a key role in countering China, because its Asian neighbors are not strong enough to do it by themselves.” 81 Therefore, unless China’s rise stalls, “the United States is likely to act toward China similar to the way it behaved toward the Soviet Union during the Cold War.” 82 It follows that the United States should take no action that would compromise its capacity to move to onshore balancing in the future. It will need to maintain key alliance relationships in Asia as well as the formidably expensive military capacity to intervene there. The implication is to get out of Iraq and Afghanistan, reduce the presence in Europe, and pivot to Asia— just what the United States is doing. 83 In sum, the argument that U.S. security commitments are unnecessary **for peace** is countered by a lot of scholarship, including highly influential realist scholarship. In addition, the argument that Eurasian peace is unnecessary for U.S. security is weakened by the potential for a large number of nasty security consequences as well as the need to retain a latent onshore balancing capacity that dramatically reduces the savings retrenchment might bring. Moreover, switching between offshore and onshore balancing could well be difªcult. Bringing together the thrust of many of the arguments discussed so far underlines the degree to which the case for retrenchment misses the underlying logic of the deep engagement strategy. By supplying reassurance, deterrence, and active management, the United States lowers security competition in the world’s key regions, thereby preventing the emergence of a hothouse atmosphere for growing new military capabilities. Alliance ties dissuade partners from ramping up and also provide leverage to prevent military transfers to potential rivals. On top of all this, the United States’ formidable military machine may deter entry by potential rivals. Current great power military expenditures as a percentage of GDP are at historical lows, and thus far other major powers have shied away from seeking to match top-end U.S. military capabilities. In addition, they have so far been careful to avoid attracting the “focused enmity” of the United States. 84 All of the world’s most modern militaries are U.S. allies (America’s alliance system of more than sixty countries now accounts for some 80 percent of global military spending), and the gap between the U.S. military capability and that of potential rivals is by many measures growing rather than shrinking. 85

### Short

#### America’s “gun disease” is killing soft power now—shift towards gun laws is key independent of solvency

Freedland ’13 (Jonathan Freedland is the Guardian's executive editor, Opinion, overseeing Comment is free, editorials and long reads. He continues to write a weekly column. He is also a regular contributor to the New York Times and the New York Review of Books, and presents BBC Radio 4's contemporary history series, The Long View. In 2014 he was awarded the Orwell special prize for journalism, having been named columnist of the year in the 2002 What the Papers Say awards. He has also published seven books, including five bestselling thrillers under the name Sam Bourne. “Washington DC shootings: America's gun disease diminishes its soft power,” 9/17, <http://www.theguardian.com/commentisfree/2013/sep/17/washington-dc-shootings-america-gun-disease>) OS bracketed for gender

But that would be to miss the wider point. America's gun sickness – which has turned massacres of this kind into a fairly regular, rather than exceptionally rare occurrence – endangers the US not solely because it can lead military personnel to lose their lives, nor even because it can lead to the murder of schoolchildren, as it did at Sandy Hook elementary school last year, or the death of young movie-goers, as it did in Aurora, Colorado, also last year – dreadful though those losses are. The foreign policy experts who gather in the thinktanks and congressional offices not far from the navy yard often define national security to encompass anything that touches on America's standing in the world. That ranges from its ability to project military force across the globe to its attractiveness, its "soft power". For decades, this latter quality has been seen as one of the US's primary assets, central to its ability to lead and persuade other nations. But America's gun disease diminishes its soft power. It makes the country seem less like a model and more like a basket case, afflicted by a pathology other nations strive to avoid. When similar gun massacres have struck elsewhere – including in Britain – lawmakers have acted swiftly to tighten controls, watching as the gun crime statistics then fell. In the decade after the rules were toughened in Australia in 1996, for example, firearm-related homicides fell by 59%, while suicides involving guns fell by 65%. But the US stays stubbornly where it is, refusing to act. When President Obama last tried, following the deaths of 20 children and six staff at Sandy Hook at the end of 2012, his bill fell at the first senate hurdle. He had not proposed banning a single weapon or bullet – merely expanding the background checks required of someone wanting to buy a gun. But even that was too much. The national security pundits who worry how a US president is perceived when he is incapable of protecting the lives of innocent Syrians abroad should think how it looks when he is incapable of protecting the lives of innocent Americans at home. On guns, the US – so often the world leader in innovation and endeavour – is the laggard, stuck at the bottom of the global class. Bill Clinton perfectly distilled the essence of soft power when he said in 2008, "People the world over have always been more impressed by the power of our example than by the example of our power." He was right. But every time a disturbed or angry individual is able to vent [their] rage with an assault weapon, killing innocents with ease, the power of America's example fades a little more.

#### Independently, crime destroys soft power

Falk ’12 (Richard Falk, United Nations Special Rapporteur on Palestinian human rights. “When soft power is hard,” Al Jazzera Opinion. July 28th, 2012. http://www.aljazeera.com/indepth/opinion/2012/07/201272212435524825.html)

This unabashed avowal of imperial goals is the main thesis of the article, perhaps most graphically expressed in the following words: "The United States can increase the effectiveness of its military forces and make the world safe for soft power, America's inherent comparative advantage." As the glove fits the hand, **soft power** complements hard power within the wider enterprise of transforming the world in the United States' image, or at least in the ideal version of the United States' sense of self. The authors acknowledge (rather parenthetically) that their strategy **may not work if the US continues** much longer **to be seen unfavourably abroad as** a national abode of drugs, crime, violence, fiscal irresponsibility, family breakdown, and political gridlock. **They make a** rather meaningless **plea to restore "a** **healthy democracy" at home as a prelude to** the heavy lifting of **democratising the world, but they** do not pretend medical knowledge, and **offer no prescriptions for restoring the health of the American body politic.** And now, 16 years after their article appeared, it would appear that the adage, "disease unknown, cure unknown", applies.

#### Soft power is key to international cooperation—that solves warming

Nye ’08 (Joseph S. Nye Jr., created the theory of “soft power,” distinguished service professor and former dean of Harvard’s Kennedy School of Government, PhD in Political Science from Harvard, 3/7/08, http://abs.sagepub.com/cgi/content/abstract/51/9/1351)

Etzioni is correct that a successful policy of security first will require the combi- nation of hard and soft power. Combining the two instruments so that they reinforce rather than undercut each other is crucial to success. Power is the ability to get the outcomes one wants. In the past,it was assumed that military power dominated most issues, but in today’s world, the contexts of power differ greatly on military, economic, and transnational issues. These latter problems, including everything from climate change to pandemics to transnational terrorism, pose some of the greatest challenges we face today, and yet few are susceptible to purely military solutions. The only way to grapple with these problems is through cooperation with others, and that requires smart power—a strategy that combines the soft power of attraction with the hard power of coercion. For example, American and British intelligence agencies report that our use of hard power in Iraq without sufficient attention to soft power has increased rather than reduced the number of Islamist terrorists throughout the past 5 years. The soft power of attraction will not win over the hard core terrorists but it is essential in winning the hearts and minds of mainstream Muslims, without whose sup- port success will be impossible in the long term. Yet all the polling evidence suggests that American soft power has declined dramatically in the Muslim world. There is no simple military solution that will produce the outcomes we want. Etzioni is clear on this and highly critical of the failure to develop a smart power strategy in Iraq. One wishes, however, that he had spent a few more pages developing one for Iran.

#### Warming causes extinction

Mazo ’10 (Jeffrey Mazo – PhD in Paleoclimatology from UCLA, Managing Editor, Survival and Research Fellow for Environmental Security and Science Policy at the International Institute for Strategic Studies in London, 3-2010, “Climate Conflict: How global warming threatens security and what to do about it,” pg. 122)

The best estimates for global warming to the end of the century range from 2.5-4.~C above pre-industrial levels, depending on the scenario. Even in the best-case scenario, the low end of the likely range is 1.goC, and in the worst 'business as usual' projections, which actual emissions have been matching, the range of likely warming runs from 3.1--7.1°C. Even keeping emissions at constant 2000 levels (which have already been exceeded), global temperature would still be expected to reach 1.2°C (O'9""1.5°C)above pre-industrial levels by the end of the century." Without early and severe reductions in emissions, the effects of climate change in the second half of the twenty-first century are likely to be catastrophic for the stability and security of countries in the developing world - not to mention the associated human tragedy. Climate change could even undermine the strength and stability of emerging and advanced economies, beyond the knock-on effects on security of widespread state failure and collapse in developing countries.' And although they have been condemned as melodramatic and alarmist, many informed observers believe that unmitigated climate change beyond the end of the century could pose an existential threat to civilisation." What is certain is that there is no precedent in human experience for such rapid change or such climatic conditions, and even in the best case adaptation to these extremes would mean profound social, cultural and political changes.

## Cartels

### Long

#### Current US gun policies sustain cartel violence

Mehalko ’12 (Laura, "This is Gun Country: The International Implications of U.S. Gun Control Policy," Boston College International and Comparative Law Review 35.1 (2012): 297-330)

Federal gun control policies in the United States, and state-level policies in the southwestern states, are a major factor in the increasing violence against both Mexican and U.S. citizens-that includes both increased murders and kidnappings domestically as well as over 40,000 murders in Mexico since 2006.9 Mexican drug trafficking organizations (DTOs) purchase firearms in the United States, where there is greater access to weapons and more lenient regulation on sales.10 Moreover, many of the relevant purchases are made in Arizona and Texas, where the emphasis on the individual right to own firearms is manifested in relatively lenient gun control laws." These two states, along with Cali- fornia, host the top twelve dealers that are allegedly arming the cartels.12

#### US guns spills over to Mexico—that arms drug wars—it’s try or die for a foundational shift in gun policy

Mehalko ’12 (Laura, "This is Gun Country: The International Implications of U.S. Gun Control Policy," Boston College International and Comparative Law Review 35.1 (2012): 297-330)

Mexican drug trafficking organizations are the largest providers of illicit drugs to the United States. They have also grown to rely on advanced, high-power weaponry and to use their nearly military-grade armament to maintain control over smuggling corridors, and local drug production areas. Cartels are also linked to nearly 40,000 deaths over the last five years, many of which were committed with guns originating in the United States. The United States is likely the most prevalent source of weapons for the increasingly violent cartels. The U.S. government estimates that nearly ninety percent of all weapons used in the drug war originate in the United States. An analysis of current gun control policy in the United States and Mexico suggests this is likely the case; Mexico has particularly strict gun control laws in contrast to the relatively lenient gun control regulation in the United States. Both countries have implemented domestic policies aimed at reducing the southward flow of arms into Mexico, yet so far have had little success. This Note argues that arms trafficking has been facilitated by current U.S. gun control policy, and it will likely continue without a foundational shift in either U.S. or international policy.

#### Inaction only helps the cartels—restricting weapons in the US solves

Mehalko ’12 (Laura, "This is Gun Country: The International Implications of U.S. Gun Control Policy," Boston College International and Comparative Law Review 35.1 (2012): 297-330)

Persons involved in arms trafficking to drug cartels have not been entirely outside the reach of U.S. law enforcement.69 Yet the Iknadosian case highlights the problems associated with enforcing criminal sanctions within the context of Mexican gun trafficking.70 Specifically, a lack of tailored legislation makes convictions difficult.71 Nevertheless, those opposed to gun control, including members of the powerful gun lobby, do not agree that more restrictions would curb drug violence in Mexico.72 Mexican residents, on the other hand, believe that restricting access to weapons in the United States would help reduce both the number and caliber of arms available to the DTOs.73 As one Mexican resident observed, "If the United States had a system like ours, we wouldn't have so many problems here in Mexico." 74

#### Cartels drive Mexican instability—they’re not a failed state yet, but they’re close

Pedigo ’12 (David, Senior Director of Technology at CEDIA Technology Council , “The Drug War and State Failure in Mexico,” http://research.monm.edu/mjur/files/2012/2012-7.pdf, Vitz)

Few topics are more relevant to the national security of the United States today than the crisis in Mexico, which threatens to create a failed state on the southern border. In 2009, noted international relations scholar John Mearsheimer listed the ongoing drug war in Mexico as the number one issue that had been overlooked by President Obama, saying that, “There is the very real possibility that Mexico will implode on Obama's watch and become a failed state, which would surely cause serious problems north of the Rio Grande.”1 This claim has been echoed by Steven David, another eminent scholar in the field of international relations, who states in his book, Cata- strophic Consequences, that, “there is no question that if violent instability engulfs Mexico, American vital interests would be threatened.”2 / While no single definition of a “failed state” currently exists, one of the most widely accepted indicators of state failure is what Max Weber re- ferred to as the “monopoly on the legitimate use of physical force” within a state’s territory. In other words, failed states emerge when the ultimate authority to provide security and enforce the rule of law comes from a power other than the state.3 By this qualification, Mexico certainly is not a failed state today, but it does exhibit many characteristics of a “captured state,” wherein the state itself is manipulated by other actors -- in this case drug cartels. There are also some regions throughout Mexico’s territory where drug cartels have more influence over the rule of law than the state, and can therefore be considered “failed provinces” or “failed cities.” In these regions, cartels freely murder mayors, police officers, and journalists that challenge their authority, some- times within feet of police posts. Not only is the Mexican state unable to pro- vide security for its population, but cartels have increasingly influenced government policy through intimidating, killing, or buying off state actors. As both Mearsheimer and David suggest, state failure in Mexico would have devastating effects for the United States. Some of the violence and lawlessness of the drug war in Mexico have already begun to leak across the border. In 2005, the governors of Arizona and New Mexico declared their border regions with Mexico to be a “disaster area” on the grounds that they were devastated by human smuggling, drug smuggling, kidnapping, murder, and destruction of property.4 There have also been recent concerns over southern Arizona be- coming a “no-go zone” controlled by drug traffickers.5 These instances lend credibility to the presupposition that “failed cities” like the ones in Mexico may begin to emerge in the United States as well if Mexico’s recent trends are not reversed.

#### Mexico instability causes disease, war, and a regional domino effect—that escalates

Manwaring ’5 (Max G., Retired U.S. Army colonel and an Adjunct Professor of International Politics at Dickinson College, “venezuela’s hugo chávez, bolivarian socialism, and asymmetric warfare,” October 2005, pg. PUB628.pdf)

President Chávez also understands that the process leading to state failure is the most dangerous long-term security challenge facing the global community today. The argument in general is that failing and failed state status is the breeding ground for instability, criminality, insurgency, regional conflict, and terrorism. These conditions breed massive humanitarian disasters and major refugee flows. They can host “evil” networks of all kinds, whether they involve criminal business enterprise, narco-trafficking, or some form of ideological crusade such as *Bolivarianismo.* More specifically, these conditions spawn all kinds of things people in general do not like such as murder, kidnapping, corruption, intimidation, and destruction of infrastructure. These means of coercion and persuasion can spawn further human rights violations, torture, poverty, starvation, disease, the recruitment and use of child soldiers, trafficking in women and body parts, trafficking and proliferation of conventional weapons systems and WMD, genocide, ethnic cleansing, warlordism, and criminal anarchy. At the same time, these actions are usually unconfined and spill over into regional syndromes of poverty, destabilization, and conflict.62 Peru’s *Sendero Luminoso* calls violent and destructive activities that facilitate the processes of state failure “armed propaganda.” Drug cartels operating throughout the Andean Ridge of South America and elsewhere call these activities “business incentives.” Chávez considers these actions to be steps that must be taken to bring about the political conditions necessary to establish Latin American socialism for the 21st century.63 Thus, in addition to helping to provide wider latitude to further their tactical and operational objectives, state and nonstate actors’ strategic efforts are aimed at progressively lessening a targeted regime’s credibility and capability in terms of its ability and willingness to govern and develop its national territory and society. Chávez’s intent is to focus his primary attack politically and psychologically on selected Latin American governments’ ability and right to govern. In that context, he understands that popular perceptions of corruption, disenfranchisement, poverty, and lack of upward mobility limit the right and the ability of a given regime to conduct the business of the state. Until a given populace generally perceives that its government is dealing with these and other basic issues of political, economic, and social injustice fairly and effectively, instability and the threat of subverting or destroying such a government are real.64 But failing and failed states simply do not go away. Virtually anyone can take advantage of such an unstable situation. The tendency is that the best motivated and best armed organization on the scene will control that instability. As a consequence, failing and failed states become dysfunctional states, rogue states, criminal states, narco-states, or new people’s democracies. In connection with the creation of new people’s democracies, one can rest assured that Chávez and his Bolivarian populist allies will be available to provide money, arms, and leadership at any given opportunity. And, of course, the longer dysfunctional, rogue, criminal, and narco-states and people’s democracies persist, the more they and their associated problems endanger global security, peace, and prosperity.65

### Short

#### Current US gun policies sustain cartel violence—they provide easy access to guns

Mehalko ’12 (Laura, "This is Gun Country: The International Implications of U.S. Gun Control Policy," Boston College International and Comparative Law Review 35.1 (2012): 297-330)

Federal gun control policies in the United States, and state-level policies in the southwestern states, are a major factor in the increasing violence against both Mexican and U.S. citizens-that includes both increased murders and kidnappings domestically as well as over 40,000 murders in Mexico since 2006.9 Mexican drug trafficking organizations (DTOs) purchase firearms in the United States, where there is greater access to weapons and more lenient regulation on sales.10 Moreover, many of the relevant purchases are made in Arizona and Texas, where the emphasis on the individual right to own firearms is manifested in relatively lenient gun control laws." These two states, along with Cali- fornia, host the top twelve dealers that are allegedly arming the cartels.12

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Mexican drug trafficking organizations are the largest providers of illicit drugs to the United States. They have also grown to rely on advanced, high-power weaponry and to use their nearly military-grade armament to maintain control over smuggling corridors, and local drug production areas. Cartels are also linked to nearly 40,000 deaths over the last five years, many of which were committed with guns originating in the United States. The United States is likely the most prevalent source of weapons for the increasingly violent cartels. The U.S. government estimates that nearly ninety percent of all weapons used in the drug war originate in the United States. An analysis of current gun control policy in the United States and Mexico suggests this is likely the case; Mexico has particularly strict gun control laws in contrast to the relatively lenient gun control regulation in the United States. Both countries have implemented domestic policies aimed at reducing the southward flow of arms into Mexico, yet so far have had little success. This Note argues that arms trafficking has been facilitated by current U.S. gun control policy, and it will likely continue without a foundational shift in either U.S. or international policy.

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### --- Loyola

#### Aff is key—significant reform is necessary to stop gun trafficking

Mehalko ’12 (Laura, "This is Gun Country: The International Implications of U.S. Gun Control Policy," Boston College International and Comparative Law Review 35.1 (2012): 297-330)

Without a foundational reform in international gun control, efforts focused on policing along the border will continue to be inefficient and inadequate.256 Moreover, the United States government has admitted that its own policing agencies are unable to effectively address the gun trafficking problem in the face of current gun control regulations. 2 5 7 Yet so far, U.S. efforts have generally been limited to targeted police initiatives along the border, and have not included directives aimed at comprehensive reform of drug and gun use.258 In 2009, the U.S. government implemented a $95 million outbound inspection program.259 Nevertheless, the port director in El Paso Texas noted that while his team had recovered nearly $400,000 in cash, they had recov- ered only one handgun during the first six weeks of searches at four border crossing points. 26 0 In 2010, the Obama administration pledged 1200 troops to the Mexican border to aid in the fight against drug smuggling.261 The decision was applauded by those who interpreted it as a timely solution to violence and immigration issues. 2 6 2 Even so, in 2010 approximately 9000 persons were killed in Mexico in associated drug violence.263 Accordingly, a continuation of current unilateral policing efforts will be insufficient to reduce the number of firearms crossing the border.

#### U.S. is sending guns to cartels now to help their anti-gun agenda – the plan obviates that need

Watson ’11 (Paul Watson, “LOS ZETAS KINGPIN: WE BOUGHT GUNS DIRECTLY FROM U.S. GOVERNMENT” Infowars.com Friday, July 8, 2011)

**One of the kingpins of the infamous Los Zetas drug** running **gang** has **told Mexican federal police that the group purchased its weapons** directly **from U.S. government officials inside America**, a revelation that will only serve to heighten suspicions that the Obama administration’s Operation Fast and Furious program was a deliberate attempt to undermine the Second Amendment by stealth. Under Operation Fast and Furious, the Bureau of Alcohol, Tobacco, Firearms, and Explosives “Sanctioned the purchase of weapons in U.S. gun shops and tracked the smuggling route to the Mexican border. Reportedly, more than 2,500 firearms were sold to straw buyers who then handed off the weapons to gunrunners under the nose of ATF.” Some of the weapons were later used to kill US Border Patrol agents like Brian Terry. However, according to the testimony of Rejón Aguilar, one of the original seven members of Los Zetas who was recently captured by police, in some cases Mexican drug gangs did not have to wait until the firearms reached the border – they purchased guns directly from the US government itself inside America. In an interview with Mexican federal police that was later uploaded to You Tube and translated, Aguilar sensationally blows the whistle on how the Zetas’ weapons were obtained straight from U.S. federal authorities. “They are bought in the U.S. The buyers (on the U.S. side of the border) have said in the past that sometimes they would acquire them from the U.S. Government itself,” Aguilar told police. “There were buyers for a time – because they weren’t our people, they were buyers on the other side – telling us that even the American government itself were selling them,” added Aguilar. The video interview can be seen at the bottom of the page. A Spanish-language newspaper story on the issue that was translated for us by Larry Pratt states, “Last Sunday, members of the Federal Police detained in the state of Mexico Z-7, one of the 14 leaders and founders of the Zetas who in one of his main statements affirmed that there are elements of the United States government who are furnishing arms to the Mexican cartels.” Some have questioned the legitimacy of efforts on behalf of the US government to catch drug smuggling kingpins in Mexico by way of sting operations involving firearms, the reason offered by the Obama administration as the motivation behind Fast and Furious, given the fact that those same kingpins are in many cases working for US intelligence itself. As we reported years ago, former DEA agent Cele Castillo has blown the whistle on how the US government controls the Los Zetas drug smuggling gang and uses it as the front group for their narco-empire. With the gang having first been trained at the infamous School of the Americas in Fort Benning, Georgia, Castillo affirms that Los Zetas are still working for the US government in protecting drug routes to keep the wheels of Wall Street well-oiled. Castillo has gone on the record to state that the commandos are working directly for the US government drug cartel in carrying out hits on rival drug smugglers who aren’t paying their cut. In addition, it was recently revealed that Jesus Vicente Zambada Niebla, the “logistical coordinator” for another top Mexican drug-trafficking gang, Sinaloa, the organization responsible for purchasing the CIA torture jet that crashed with four tons on cocaine on board back in 2007, also obtained guns from the U.S. that were later used to kill people in Mexico City. Niebla recently told the U.S. District Court for the Northern District of Illinois in Chicago that he has been working for the U.S. government since January 2004. **The** Obama administration **has repeatedly invoked rhetoric about the flow of guns being smuggled from the U.S. into Mexico as a talking point with which to chill gun rights of American citizens,** repkeating the demonstrably false myth that 90% of weapons confiscated by Mexican authorities originate in the U.S. Despite the establishment media attempting to debunk the notion that **Fast and Furious was a deliberate effort on behalf of Obama and his Attorney General Eric Holder to demonize gun rights by pointing to the flow of guns from the U.S. to Mexico, a process now revealed to have been largely overseen by the federal government itself**, the fallout from the scandal, with no one in the administration willing to admit culpability, is starting to confirm precisely that premise.

## Trump

### 1AC

#### Clinton has taken the lead – polls prove

Tani 3-24

Maxwell Tani, Business Insider, Mar. 24, 2016, 2:07 PM 24,553 98 A new round of polls shows Hillary Clinton crushing Donald Trump in a general-election matchup, businessinsider.com/polls-hillary-clinton-donald-trump-kasich-cruz-2016-3

Former Secretary of State Hillary **Clinton bested Donald Trump in a new slew of hypothetical head-to-head matchups** between the two presidential candidates. **Several surveys released over the past few days have shown Clinton regaining a commanding lead** **over Trump** in a potential head-to-head matchup, **a scenario that appears increasingly likely as both candidates inch closer to clinching their respective parties' nominations**. A **Fox News** poll released on Wednesday **showed Clinton with an 11-point lead** over Trump, while a **CBS/New York Times poll** published earlier this week **found Clinton with a 10-point lead** over Trump. **A Bloomberg survey** on Wednesday **put the gap even wider**, with Clinton leading Trump by 18 points. Of the **seven major national polls** conducted this month and recognized by RealClearPolitics, **the closest Trump came to victory** in a hypothetical race **was** in a Quinnipiac University poll. That survey, released last week, found the real-estate magnate **trailing Clinton by six points**. **This month's polls represent a somewhat notable shift from February**, when some showed Trump and Clinton in a virtual dead heat. One Quinnipiac University poll conducted in early February displayed Trump within two points, while a USA Today/Suffolk University poll conducted around the same time had Trump ahead by two points.

#### Plan kills democrat electability

Christopher 3-24

Bernie Sanders Won’t Make Gun Control a Litmus Test For Supreme Court Nominees

by Tommy Christopher | 3:29 pm, March 24th, 2016 106 Media ITE

Sanders has already been hit hard by Hillary Clinton over gun control, but before you reach for the torches and pitchforks, on this particular question, it’s unclear of there’s any daylight between them. **Hillary has listed numerous litmus tests for Supreme Court picks**, among them the Voting Rights Act and protecting marriage equality, **but not Heller**. During a fundraiser in October, **she did proclaim that “the Supreme Court is wrong on the Second Amendment,” but appeared to be talking about assault weapons**, which gun rights advocates say are covered by Heller because they are “commonly used.” She has also made comments in the past supportive of the idea that gun ownership is an individual right, so it’s not at all clear that she’d make that aspect of Heller a litmus test now. **There is great public support for certain gun control measures, but on the issue of an individual’s right to own a firearm, a litmus test like this would put Hillary and Bernie on the very wrong side of the general electorate.** They could make clarifying the Heller decision’s meaning for assault weapons an issue, but that’s an awfully tough needle to thread.

#### That means Trump will win

Zurcher 4/25 (Anthony, reporter, “Can the Cruz-Kasich tag-team beat Trump?,” BBC, 2016, “http://www.bbc.com/news/election-us-2016-36117424) OS

Times have changed. Now the Kasich campaign is more than willing to play the divide-and-conquer game. The problem, however, is that it would've been much more effective back in March, when Mr Trump was building his lead thanks to plurality wins over a fractured field. And one thing the two campaigns aren't doing is urging their supporters to actually vote for their counterpart. The result is more a cessation of hostilities than a full-fledged joint effort. In addition, the agreement doesn't extend to the eight other primaries on the calendar in May and June. Perhaps this is just a first step toward such full co-ordination. Or perhaps it's a bridge the two campaigns will never cross, dire straits or no. If they don't co-ordinate in California on 6 June, however, it could be all for naught. Mr Trump has an imposing lead in the polls there, and big win will get him tantalisingly close to the numbers he needs for outright victory. A majority of Republicans are telling pollsters that they think whoever wins the most votes and delegates, regardless of whether they get an outright majority, should be the nominee. If Mr Cruz and the anti-Trump movement want to avoid the perception that they're stealing the prize from the deserving winner, Indiana has to be just the beginning. Mr Trump isn't going to be caught flat-footed, however. On Sunday night he took to Twitter to condemn the collusion - and has been on a tear ever since. "DESPERATION!" he concluded. And indeed it is. Only desperation would unite Mr Kasich and Mr Cruz, whose political views and temperament sit on opposite ends of the Republican Party. The remaining weeks of the campaign appear destined to become simply about the desperate measures necessary to stop Mr Trump before the convention. Beyond that, now, there is nothing.

#### **A Trump presidency would crush the GOP**

Chait 2/5 (Jonathan Chait is a commentator and writer for New York magazine. He was previously a senior editor at The New Republic and a former assistant editor of The American Prospect. “Why Liberals Should Support a Trump Republican Nomination,” New York Magazine, 2016, <http://nymag.com/daily/intelligencer/2016/02/why-liberals-should-support-a-trump-nomination.html>) Os

Second, a Trump nomination might upend his party. The GOP is a machine that harnesses ethno-nationalistic fear — of communists, criminals, matrimonial gays, terrorists, snooty cultural elites — to win elections and then, once in office, caters to its wealthy donor base. (This is why even a social firebrand like Ted Cruz would privately assure the billionaire investor Paul Singer that he wasn’t particularly concerned about gay-marriage laws.) As its voting base has lost college-­educated voters and gained blue-collar whites, the fissure between the means by which Republicans attain power and the ends they pursue once they have it has widened. What has most horrified conservative activists about Trump’s rise is how little he or his supporters seem to care about their anti-government ideology. When presented with the candidate’s previous support for higher taxes on the rich or single-payer insurance, heresies of the highest order, Trump fans merely shrug. During this campaign, Trump has mostly conformed to party doctrine, but without much conviction. Trump does not mouth the rote conservative formulation that government is failing because it can’t work and that the solution is to cut it down to size. Instead, he says it is failing because it is run by idiots and that the solution is for it to instead be run by Trump. About half of Republicans favor higher taxes on the rich, a position that has zero representation among their party’s leaders. And those Republicans are the most likely to support Trump. Trump’s candidacy represents, among other things, a revolt by the Republican proletariat against its master class. That is why National Review devoted a cover editorial and 22 columns to denouncing Trump as a heretic to the conservative movement. A Trump nomination might not actually cleave the GOP in two, but it could wreak havoc. If, like me, you think the Republican Party in its current incarnation needs to be burned to the ground and rebuilt anew, Trump is the only one holding a match.

#### **This forces us to confront our issues**

Orujyan 3/29 (Armen, founder and CEO of Athgo International, “Why an Embarrassing President Trump Might Be Good for America,” Fortune, 2016, <http://fortune.com/2016/03/29/trump-presidency-selective-memory/>) OS

Would a Trump presidency fix our national problems? Probably not. But, his presidency should not be viewed through that lens. Rather, think of it like this: President Trump is perfectly suited to be the commander-in-chief of political incorrectness and international blunders. He will rip the bandage that covers the corrosion of our country. A Trump presidency would likely produce alarming missteps, yet in the process it would expose the real problems our nation faces—problems that, if not corrected today, will cause far graver damage tomorrow. The worse he does, the better it may be for the country. Let me use an analogy: When we maintain a dreadful diet, we steadily worsen our health. We somehow think that heart conditions happen to other people, to our neighbors and strangers on TV. But never to us. The relative ease of doing nothing trumps (no pun intended) the fear of negative outcomes. Today, as a nation we have clogged the walls of our arteries. That is where President Trump comes in. The electorate that supports Trump is part of our national fabric, and it is playing the role of an organism that stimulates the stroke our society needs. They anticipate that President Trump will rip off that bandage and bring about a shock of awareness as to how things are, regardless of how politically incorrect or suicidal that may appear. They are fighting against our selective memory.

#### **Also solves warming**

Cowen 1/25 (Tyler Cowen is an American economist, academic, and writer. He occupies the Holbert C. Harris Chair of economics, as a professor at George Mason University. “Tyrone on why Democrats should vote for Donald Trump,” Marginal Revolution, 2016, <http://marginalrevolution.com/marginalrevolution/2016/01/tyrone-democrats-vote-donald-trump.html>) OS edited for problematic language

OK people, let’s say Trump sticks to the mainstream Republican position. What will happen then? Won’t greedy capitalists [destroy] the earth, not to mention building that energy-consuming wall? Well, in the short run, maybe. (Don’t forget Lennon on the omelette and those broken eggs!) But we all know how disastrous Trump’s economic ideas would be in practice. They would lower the growth rate of gdp and impoverish the masses. Even if you read Trump as a policy moderate, just imagine what his volatile temperament would do to the equity risk premium. (Then they would have to give Robert Barro a Nobel prize!) And so, four or maybe eight years later, — or is it two? — what we could expect to find? A fully Democratic Congress and White House. (And dear reader, is there any other way to get there?) And thus would arrive comprehensive climate change legislation, just as we got Obamacare post-2008. Voila! That’s way more important than maintaining America’s status as a nice, well-respected, and tolerant country, isn’t it? So Democrats, if you really care about Bangladesh and Vietnam, and don’t just have this silly mood affiliation fancy that Tyler has fabricated, you should promote the candidacy of Donald Trump. The more Democratic you are, the better. The more worried about climate change you are, the better. Your man has arrived on the national scene. Finally.

#### Warming causes extinction

Tickell 08 – (Oliver, The Guardian, “On a planet 4C hotter, all we can prepare for is extinction”, 8/11, http://www.guardian.co.uk/commentisfree/2008/aug/11/climatechange)

We need to get prepared for four degrees of global warming, Bob Watson told the Guardian last week. At first sight this looks like wise counsel from the climate science adviser to Defra. But **the idea that we could adapt to a 4C rise is absurd and dangerous. Global warming on this scale would be a catastrophe that would mean**, in the immortal words that Chief Seattle probably never spoke, "the end of living and the beginning of survival" for humankind. Or perhaps the beginning of our extinction**. The collapse of the polar ice caps would become inevitable, bringing long-term sea level rises of 70-80 metres. All the world's coastal plains would be lost, complete with ports, cities, transport and industrial infrastructure, and much of the world's most productive farmland.** The world's geography would be transformed much as it was at the end of the last ice age, when sea levels rose by about 120 metres to create the Channel, the North Sea and Cardigan Bay out of dry land. Weather would become extreme and unpredictable, with more frequent and severe droughts, floods and hurricanes. **The Earth's carrying capacity would be hugely reduced. Billions would undoubtedly die.** Watson's call was supported by the government's former chief scientific adviser, Sir David King, who warned that "if we get to a four-degree rise it is quite possible that we would begin to see a runaway increase". This is a remarkable understatement. **The climate system is already experiencing significant feedbacks, notably the summer melting of the Arctic sea ice. The more the ice melts, the more sunshine is absorbed by the sea, and the more the Arctic warms. And as the Arctic warms, the release of billions of tonnes of methane** – a greenhouse gas 70 times stronger than carbon dioxide over 20 years – **captured under melting permafrost is already under way**. **To see how far this process could go, look 55.5m years to the Palaeocene-Eocene Thermal Maximum, when a global temperature increase of 6C coincided with the release of about 5,000 gigatonnes of carbon into the atmosphere,** both as CO2 and as methane from bogs and seabed sediments. Lush subtropical forests grew in polar regions, and sea levels rose to 100m higher than today. It appears that **an initial warming pulse triggered other warming processes. Many scientists warn that this historical event may be analogous to the present: the warming caused by human emissions could propel us towards a similar hothouse Earth**.

## Caribbean Instability

### 1AC

#### Caribbean gun smuggling is a huge problem—U.S. is the main source

Baines ’14 (David Baines, OBE, CCM, Mst (Cantab) Commissioner of Police, Grand Cayman Islands and President of the Association of Caribbean Commissioners of Police. “The Third Border: American Guns in the Caribbean,” Police Chief Magazine, August, <http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=3447&issue_id=82014>) OS

“Weapons of mass destruction operating in slow motion” is one of the metaphors used to describe the impact of U.S.-sourced firearms upon the communities and countries of the Caribbean and, specifically, the threat to the region’s young males. However, the violence that was originally focused on young males has spilled over into whole communities—police reported the murders of more than 60 children in Jamaica alone since January 2013.1 Clearly, the presence of guns is not a small-scale matter for the region. Jamaica is one of the countries most affected by an influx of weapons, and it seized over $30 million worth of guns and ammunition between January 1 and May 24, 2014. That one country also reported more than 450 shootings over the same time period. 2 The latest figures for average homicides per 100,000 people show the Caribbean averaging just under 30 homicides per 100,000, although some islands have shown rates as high as 56 homicides per 100,000.3 In contrast, the United States averages 4.7 homicides per 100,000 people; and the rates in Canada and the United Kingdom are 1.6 and 1.0, respectively.4 With these figures in mind, it’s essential to note that there are no firearm manufacturers in any Caribbean country, nor is there a “right to bear arms” within the islands’ various laws or constitutions. The only exception to this statement is the U.S. Virgin Islands, which also has one of the highest homicide rates in the Caribbean. There is heavy oversight and strict regimes in place to determine whether a person may legitimately own a firearm, underpinned by mandatory sentences for illegal possession of firearms with up to 10 years imprisonment upon first conviction. Nonetheless, the gun violence and homicide rates routinely position the region as one of the most dangerous in the world. Tracing the Path of U.S. Firearms to the Caribbean The U.S Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has recognized the problem of U.S. firearms making their way to the Caribbean and is working with law enforcement in the region. ATF Director B. Todd Jones, in an address to the Association of Caribbean Commissioners of Police, described the Caribbean as the United States’ “third border” and committed to prioritizing the need to address criminality relating to firearms. As is all too evident, drug routes are fought for by various crime syndicates. Regretfully, the prevalence of gang violence has increased the market for firearms. Already, the number of gun dealers in Florida exceeds 3,500, and the number is growing to meet the increased demands (legitimate and illegitimate) in the region.5 A recent article identified more than 7,500 gun dealers in the region near the U.S.–Mexican border, many of which are used by criminal gangs to source weapons, which, in turn, fuel organized crime and gang violence. As the United States moves to counter the Mexican drug cartels and shipment routes into the United States, a return to the traditional drug smuggling routes of the 1980s via the Caribbean appears inevitable.6 The position of the Caribbean as the hub through which illicit drugs are trafficked from the production sites in South American countries to market countries in North America and Western Europe has ensured that criminal gangs are routinely securing guns to facilitate their drug activities in the Caribbean and fuelling the turf wars to secure control of the lucrative trade. In response to the increasing violence and availability of U.S.-sourced guns, ATF has provided two firearms experts, one located in Kingston, Jamaica; the other in the Port of Spain, Trinidad and Tobago, in order to better support and coordinate law enforcement between Caribbean nations and the United States. Their expertise has been valuable in ensuring best evidence principles are applied in concert with timely action. U.S.-based agents support the effort to trace firearms back to their original purchasers in the United States. This tracing is especially important because guns purchased (often legally) in the United States may appear days, weeks, or years later at crime scenes across the Caribbean. Recent seizures that demonstrate the U.S.–Caribbean nexus include a Glock used in Kingston, Jamaica, that was purchased weeks earlier in a Florida gun store and a .357 Magnum revolver recovered in an anti-gang operation in the Cayman Islands that was identified as stolen from a police station in Florida eight years earlier. The means of initiating that tracing is critical and has required the provision and utilization of the ATF eTrace system by all Caribbean nations. eTrace is a web-based system that can identify who originally purchased a specific gun from a federal firearms licensee or gun store. ATF experts are able to quantify the weapons being recovered in the region and the potential illicit smuggling routes used. As of May 2014, their analysis estimated that 70 percent of all weapons recovered in the northern Caribbean islands originated in the United States, and 50 percent of guns in the southern Caribbean were U.S.-sourced, with the remainder likely originating in South American countries.7

#### Destabilizes the region

Johnson ’14 (Lisa, U.S. Charge d'Affaires, remarks at Opening Ceremony - CBSI Technical Workshop, 9/24, <http://nassau.usembassy.gov/cbsiworkshop2014.html>) OS

A CARICOM press statement, released following the organization’s 2011 annual meeting, stated that: “the use of these weapons has spawned an alarming rise in murders and gun violence throughout the region.” The destabilizing accumulation and illicit trafficking of small arms and light weapons (SA/LW) has proven a major obstacle to peace, stability, and economic development in the Western Hemisphere. Throughout the region, criminal organizations, gangs, and drug traffickers acquire arms primarily through illegal diversion, theft, and smuggling, and use these arms to perpetrate violent acts against our citizens. The U.S. government firmly believes that steps by individual countries and regional and sub-regional organizations will go a long way toward establishing norms and practices that will lead to our shared responsibility to defeat this threat and deny criminal and terrorist organizations the tools they need to commit illegal acts. The world community and partners in the region have made political commitments to combat illicit firearms trafficking in such agreements as CIFTA, the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other related materials, the United Nations Program of Action, and the recently signed Arms Trade Treaty. We must now focus our energies to implement these commitments in practical ways. Focused efforts to identify and curb the methods of the illicit trade that include brokering controls, weapons’ marking, tracing firearms used in crimes, law enforcement cooperation, improving investigative skills, and expeditiously destroying excess stocks and safeguarding legitimate stocks from theft are among the best ways to attack the problem. The United States and other partners have several international programs in place to assist states in the fight against illicit trafficking in arms in the region. You will hear many of the experts outline these programs in the next two days. The illicit trade in firearms has the potential to affect any country in the world at any time; it is not limited to regions of conflict, instability, or poverty. We often talk about the biggest threats to international peace and security, such as terrorism and the proliferation of weapons of mass destruction – and appropriately so. Yet, it is readily apparent that the illicit trafficking in firearms poses a serious threat to stability and security in this hemisphere. We must all work even more energetically to curb the illicit trade in firearms. I hope we can collectively redouble our commitment to that task. You will find the United States ready to engage in very practical and concrete ways to combat the illicit trafficking of firearms in the hemisphere.

#### Caribbean instability facilitates bioterror attack against the U.S.

Bryan 1 (Anthony T. Bryan, director of the North-South Center’s Caribbean Program, 10-21-2001. CFR, Terrorism, Porous Borders, and Homeland Security: The Case for U.S.-Caribbean Cooperation, p.  
http://www.cfr.org/publication/4844/terrorism\_porous\_borders\_and%20\_homeland\_%20security.html)

Terrorist acts can take place anywhere. The Caribbean is no exception. Already the linkages between drug trafficking and terrorism are clear in countries like Colombia and Peru, and such connections have similar potential in the Caribbean. The security of major industrial complexes in some Caribbean countries is vital. Petroleum refineries and major industrial estates in Trinidad, which host more than 100 companies that produce the majority of the world’s methanol, ammonium sulphate, and 40 percent of U.S. imports of liquefied natural gas (LNG), are vulnerable targets. Unfortunately, as experience has shown in Africa, the Middle East, and Latin America, terrorists are likely to strike at U.S. and European interests in Caribbean countries. Security issues become even more critical when one considers the possible use of Caribbean countries by terrorists as bases from which to attack the United States. An airliner hijacked after departure from an airport in the northern Caribbean or the Bahamas can be flying over South Florida in less than an hour. Terrorists can sabotage or seize control of a cruise ship after the vessel leaves a Caribbean port. Moreover, terrorists with false passports and visas issued in the Caribbean may be able to move easily through passport controls in Canada or the United States. (To help counter this possibility, some countries have suspended "economic citizenship" programs to ensure that known terrorists have not been inadvertently granted such citizenship.) Again, Caribbean countries are as vulnerable as anywhere else to the clandestine manufacture and deployment of biological weapons within national borders.

#### Bioterror causes extinction

Anders Sandberg 8, is a James Martin Research Fellow at the Future of Humanity Institute at Oxford University; Jason G. Matheny, PhD candidate in Health Policy and Management at Johns Hopkins Bloomberg School of Public Health and special consultant to the Center for Biosecurity at the University of Pittsburgh Medical Center; Milan M. Ćirković, senior research associate at the Astronomical Observatory of Belgrade and assistant professor of physics at the University of Novi Sad in Serbia and Montenegro, 9/8/8, “How can we reduce the risk of human extinction?,” Bulletin of the Atomic Scientists,<http://www.thebulletin.org/web-edition/features/how-can-we-reduce-the-risk-of-human-extinction>

The risks from anthropogenic hazards appear at present larger than those from natural ones. Although great progress has been made in reducing the number of nuclear weapons in the world, humanity is still threatened by the possibility of a global thermonuclear war and a resulting nuclear winter. We may face even greater risks from emerging technologies. Advances in synthetic biology might make it possible to engineer pathogens capable of extinction-level pandemics. The knowledge, equipment, and materials needed to engineer pathogens are more accessible than those needed to build nuclear weapons. And unlike other weapons, pathogens are self-replicating, allowing a small arsenal to become exponentially destructive. Pathogens have been implicated in the extinctions of many wild species. Although most pandemics "fade out" by reducing the density of susceptible populations, pathogens with wide host ranges in multiple species can reach even isolated individuals. The intentional or unintentional release of engineered pathogens with high transmissibility, latency, and lethality might be capable of causing human extinction. While such an event seems unlikely today, the likelihood may increase as biotechnologies continue to improve at a rate rivaling Moore's Law.

## Econ

### 1AC

#### **U.S. arms industry is doomed unless it shifts away from its reliance on guns and toward nonlethal weapons—only the plan ensures that by forcing the kind of radical business model reform they need**

Cardello ’13 (Hank Cardello, a senior fellow at the Hudson Institute, a consultant to industry, public policy institutes, and government agencies on socially responsible products and practices, and the author of Stuffed: An Insider’s Look at Who’s (Really) Making America Fat. “The Gun Industry Needs to Reinvent Itself Before It's Too Late” 1-14-13, forbes.com/sites/forbesleadershipforum/2013/01/14/the-gun-industry-needs-to-reinvent-itself-before-its-too-late/#55c6c41b24a9) OS

Here is why: Gun manufacturers that see their future narrowly as selling lethal weapons are leaving lots of money on the table for non-lethal personal protection devices. Further, by sticking to guns, firearms companies will risk facing legal battles of the type that have cost the tobacco industry hundreds of billions of dollars. A 2005 law largely shields gunmakers from those kinds of suits, but pension fund managers and other investors are nonetheless starting to act as if the tides have changed. If the legal floodgates open, the smaller and less profitable gun industry won’t be able to financially survive the attack that the tobacco companies withstood. While I would prefer that a moral argument might persuade the gun industry to change its ways, especially after the murder of innocent children, unfortunately it comes down to profits and money. That’s the only way to get the gun industry, or many other industries, for that matter, to change products and practices that anti-industry activists claim are harmful to the public. Money, not Second Amendment rights, is the real reason that gun manufacturers fire back when anyone seeks to ban or limit sales of their products—even the extreme ones, such as armor-piercing bullets and the Bushmaster semi-automatic “sports rifle” used in the Newtown killings. Gunmakers cling to their guns because they believe their survival depends on preserving and enlarging the market for them. They think they’re all they have to sell. From the 1929 St. Valentine’s Day Massacre to the 2012 Newtown massacre, history’s most notorious shootings have sparked outcries for more restrictions on gun sales and gun use. Despite the restrictive new policies that followed many such killings, from the 1934 National Firearms Act through 1994’s Brady Act, the gunmakers have prevailed by championing constitutional rights, courting and threatening legislators, and appealing to hunters, young men, and other core users. However, those strategies may have run their course. It appears that public sentiment may be turning against unfettered gun ownership after 2012’s mass shootings. In a USA Today/Gallup Poll study taken after the Newtown massacre, 62% said they would favor a law to ban the sale and possession of high-capacity ammunition clips. In a separate Gallup Poll, 71% said they would support some restrictions on gun ownership; another 15% favored making guns illegal. To be sure, the 2005 law enacted by Congress makes it difficult for firearm companies to be sued over the misuse of their products. But successful challenges to that law have already taken place. Last October, a New York appeals court unanimously held that a gunmaker, distributor, and dealer could be held liable for selling 181 “Saturday night specials” to a gun trafficking ring, which shot a Buffalo high school basketball star. And in light of Newtown, the cries for Congress to appeal the law have begun in earnest. As Vice President Joe Biden met last week with both sides in the gun debate, President Barack Obama vowed to enact new restrictions, with or without Congress. New York Governor Andrew Cuomo is pushing for a ban on assault weapons and allowing police to confiscate weapons from the mentally unstable; Connecticut Governor Dan Malloy is also calling for new restrictions. As the anti-gun movement begins to hone its strategy, the blueprint is already in place for activists who want to pursue big legal settlements against gunmakers, using the same playbook that was successful against the tobacco industry. But unlike that industry, which staved off efforts to ban or curb smoking for decades before getting socked with a landmark $206 billion fine in 1998, U.S. gunmakers don’t have deep enough pockets to survive such challenges. Their industry profit margins are much smaller—8.5% on annual revenue of $11.7 billion, according to market researcher IBISWorld. Consider that Altria alone, which owns Phillip-Morris, is a $23.8 billion business, twice the size of the entire gun industry, with net income margins that are two-thirds higher. Moreover, investors are defecting: The California State Teacher’s Retirement System announced last week that it would divest itself of holdings in gun companies that make weapons illegal in California. Harry Keiley, the fund’s investment committee chair, cited not only the Newtown tragedy but also “the financial pressures we anticipate this sector of the industry will face.” Cerberus Capital Management, one of the world’s largest private-equity firms, is selling its holdings in the Freedom Group, a top firearms company that makes the Bushmaster. Wall Street analysts, concerned over future liabilities, are likely to recommend that other investors follow Cerberus’ lead. After its investment missteps with Chrysler and GMAC (before the government bailout), Cerberus is surely capable of recognizing a big business risk. Public sentiment and investors are turning against the gun industry, and anti-gun activists are howling for their heads. Still, gunmakers can appease the anti-gun activists, become a meaningful part of the solution to curb gun violence, gain new customers, and strengthen their bottom line—but only if their survival doesn’t depend on selling more guns and ammunition. That means they need to reload in three different ways. First, they should redefine their business model from being purveyors of guns and ammunition to encompass all personal protection products. That would open them up to a host of new and existing nonlethal devices and markets that could very well generate much greater revenue and profit than the sale of guns and ammunition generates today. For example, the U.S. electronic security market is about the same size today as the gun market, according to figures from the Freedonia Group, and is expected to hit $17 billion by next year. Some reports estimate that the global market for home security will reach more than $34 billion in 2017. Broadening the notion of the needs they fill has been a successful strategy in numerous other industries whose core products were under attack for safety, health, or environmental reasons. For example, Chevron, which once concentrated solely on fossil fuels, now focuses on natural gas, solar power, and biofuels, and touts its “human energy” platform. Danone jettisoned less healthy products to focus solely on nutritious ones such as bottled water and infant formula. Our research shows that Danone’s financial and shareholder performance has outpaced its peers’. Former soda companies such as Coca-Cola and Pepsi have redefined themselves as beverage companies, reaping new business from products like bottled water and sports drinks. Today they enjoy some of the highest operating profit margins in the food industry. The second strategy that gunmakers should consider is appealing to new customers who don’t want to use deadly force to protect themselves. Overall, a minority of households packs heat; a late 2012 Pew Research Center poll showed that homes without guns outnumbered homes with guns by nearly two to one. Both the University of Chicago and the Pew Research Center estimate that roughly two-thirds of American households don’t own guns. These people are a far richer vein of future income than the testosterone-filled young males who are the target of Bushmaster’s now-infamous “Consider your man card reissued” ads. Products that offer protection from intruders are highly profitable; ADT, the home security company, is a $3.2 billion business that delivers bottom-line returns exceeding 12%. A 2011 study by Homeland Security Research projects that the market for non-lethal weapons, at $2.4 billion in 2012, will have a 17% compound annual growth rate, as demand rises in the leading-edge law enforcement and military markets. Consider that the Los Angeles County Sheriff’s Department has used nonlethal devices that combine mace and 600 lumens of light to temporarily stun a criminal, achieving a 96% “stop rate” and a 43% decrease in the necessary use of lethal force. ICD Research estimates that the global market for body armor and personal protection equipment will grow to $19.4 billion by 2022. Protective devices that use sound instead of bullets are an emerging opportunity. All in all, gun makers have a huge opportunity to make and market these devices to the majority of households that shun guns.

#### **The gun industry is way bigger than you realize—it’s a pillar of the economy**

Hall ’13 (Glenn, The Blaze, “Stubborn Facts: The Gun Industry Employs Twice as Many Americans as GM (and That’s Just the Beginning),” 3/26, <http://www.theblaze.com/stories/2013/03/26/nr-draft-how-important-are-guns-to-the-u-s-economy-for-starters-the-firearms-industry-employs-twice-as-many-americans-as-bailed-out-gm/>) OS

Guns are big business in America – so big, in fact, that despite making vastly more firearms than any other nation, the U.S. also is the largest importer of handguns, rifles and shotguns. Demand is so high, that on top of the 6.54 million pistols, revolvers, rifles, shotguns and other firearms made in America in 2011, an additional 3.25 million were brought in from other countries, according to records of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives. Domestic production grew by 1 million guns from the 2010 volume and imports increased by half a million. All told, the firearms industry contributes more than $33 billion to the U.S. economy and supports about 220,000 jobs, according to the National Shooting Sports Foundation. That’s more than double the North American payrolls of General Motors, which President Barack Obama called “a pillar of our economy” when he explained the decision to provide more taxpayer aid to help save the car maker in 2009. Unlike GM, which employs 101,000 people in North America and 213,000 worldwide, the gun business is divided up among thousands of little companies with just a few big, recognizable brands like Ruger, Smith & Wesson and Remington. Big or small, companies making and selling firearms and ammunition provide jobs in every state. (Click here for a snapshot of the top U.S. gunmakers.) In Idaho, for example, Republican Gov. Butch Otter considers the firearms business “an important piece of the economy” in his state, which is home to one of the largest U.S. ammunition manufacturers — ATK Sporting — and has been attracting gun-related businesses away from other states that have enacted stricter gun controls or raised corporate taxes. Idaho’s firearms businesses generate $512.7 million in revenue and provide 3,116 jobs in the state, according to the NSSF.

#### Growth solves every impact

Silk 93 — Leonard Silk, Distinguished Professor of Economics at Pace University, Senior Research Fellow at the Ralph Bunche Institute on the United Nations at the Graduate Center of the City University of New York, and former Economics Columnist with the New York Times, 1993 (“Dangers of Slow Growth,” Foreign Affairs)

Like the Great Depression, the current economic slump has fanned the firs of nationalist, ethnic and religious hatred around the world. Economic hardship is not the only cause of these social and political pathologies, but it aggravates all of them, and in turn they feed back on economic development. They also undermine efforts to deal with such global problems as environmental pollution, the production and trafficking of drugs, crime, sickness, famine, AIDS and other plagues. Growth will not solve all those problems by itself. But economic growth – and growth alone – creates the additional resources that make it possible to achieve such fundamental goals as higher living standards, national and collective security, a healthier environment, and more liberal and open economies and societies

#### Slow growth causes war

Royal 10 (Jedediah Royal, Director of Cooperative Threat Reduction at the U.S. Department of Defense, 2010, “Economic Integration, Economic Signaling and the Problem of Economic Crises,” in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent states. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level, Pollins (2008) advances Modelski and Thompson's (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin. 1981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Feaver, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner. 1999). Separately, Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level, Copeland's (1996, 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write: The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & Hess, 2002. p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. “Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DeRouen (1995). and Blomberg, Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention. This observation is not contradictory to other perspectives that link economic interdependence with a decrease in the likelihood of external conflict, such as those mentioned in the first paragraph of this chapter. Those studies tend to focus on dyadic interdependence instead of global interdependence and do not specifically consider the occurrence of and conditions created by economic crises. As such, the view presented here should be considered ancillary to those views.

#### U.S. econ is internationally key

High Plains Journal 9 3/13/9. Citing Dr. David M. Kohl, professor emeritus, agricultural and applied economics at Virginia Tech. http://www.hpj.com/archives/2009/mar09/mar16/Farmersshouldexpectvolatili.cfm.

Now, the U.S. economy is impacting the world. "The United States, Mexico and Canada are 5 percent of the world's population, but 29 percent of the world's economy. If you don't think we are important on the world sector, the (United States) produces more in one day than 25 percent of the countries in the world produce in a whole year." What happens in the U.S. economy is important to the world economy**,** Kohl said.

## Human Rights Cred

### 1AC

#### Banning private firearms is key to U.S. human rights credibility

Alex Newman '14, New American "UN “Human Rights” Report Attacks U.S. Gun Rights, Constitution" www.thenewamerican.com/usnews/constitution/item/17998-un-human-rights-report-attacks-u-s-gun-rights-constitution

The United Nations pseudo-“human-rights” bureaucracy released another report attacking Americans’ self-defense rights, “Stand Your Ground” statutes passed at the state level, and the U.S. Constitution’s Second Amendment protection of the people's God-given right to keep and bear arms without government infringement. Agreeing with the Obama administration and the most extreme anti-Second Amendment members of Congress, the UN “Human Rights Committee” also claimed that the U.S. government needed to expand the unconstitutional background-check regime to include even private firearms sales. In a section of the report entitled “gun violence,” the UN “experts,” virtually all of whom come from governments that do not recognize the fundamental human right to possess weapons or of self-defense, claimed to be “concerned” about multiple issues surrounding U.S. gun laws. Despite “measures taken to reduce gun violence,” an advance of the UN document claims, “the Committee remains concerned about the continuing high numbers of gun-related deaths and injuries and the disparate impact of gun violence on minorities, women and children.” It was not immediately clear where the outfit obtained its data. ULINE Shipping Supplies Huge Catalog! Over 30,000 Products. Same Day Shipping from 11 Locations www.ULINE.com Especially troubling to the UN bureaucrats was the alleged “discriminatory effect of ‘Stand Your Ground Laws,’” according to the report. While the UN “experts” praised an “investigation” conducted by the federal “Commission on Civil Rights” into the popular state protections for self-defense rights, the unelected international committee claimed to be “concerned about the proliferation

of such laws that are used to circumvent the limits of legitimate self-defence [sic] in violation of the State party’s duty to protect life.” The report marks at least the third time in recent months that self-styled UN authorities have used discredited arguments to attack American protections for fundamental human rights. “The State Party [the U.S. government] should take all necessary measures to abide by its obligation to effectively protect the right to life,” the report continues, despite the fact that studies show widespread gun ownership protects lives. “In particular, it should: (a) continue its efforts to effectively curb gun violence, including through the continued pursuit of legislation requiring background checks for all private firearm transfers … and (b) review Stand Your Ground Laws to remove far-reaching immunity and ensure strict adherence to the principles of necessity and proportionality when using deadly force in self-defence.” In other words, the UN is now brazenly and openly pushing for radical and unconstitutional changes to both U.S. and state law. In particular, the report is calling for a massive expansion of the background-check regime — a plot that was so extreme it did not even make it through the Democrat-controlled U.S. Senate amid a full-blown assault on gun rights by the Obama administration. Critics have attacked the controversial idea from all angles, but especially troublesome are the constitutional implications, as well as well-founded suspicions that the Obama administration is unlawfully trying to use background checks to compile a national gun registry in defiance of federal law. Separately, the UN report called for the federal government to launch an attack on states’ Stand Your Ground laws. Those laws, adopted by about half of American states so far, protect the self-defense rights of all people in those jurisdictions, ensuring that they do not have to flee from potentially murderous attackers. Despite UN demands, the federal government, of course, has no legitimate authority over state self-defense laws. Obviously the UN has no power in that area either, although it is seeking it. The UN, for example, recently helped the murderous socialist regime in Venezuela disarm law-abiding civilians (sparking even more violence and murder) while pushing global gun control via the UN “Arms Trade Treaty.”

#### Human rights cred solves global war

William W. Burke-White 4, Lecturer in Public and International Affairs and Senior Special Assistant to the Dean, Woodrow Wilson School of Public and International Affairs, Princeton University, Spring 2004, Harvard Human Rights Journal, 17 Harv. Hum. Rts. J. 249, p. 279-280

This Article presents a strategic--as opposed to ideological or normative--argument that the promotion of human rights should be given a more prominent place in U.S. foreign policy. It does so by suggesting a correlation between the domestic human rights practices of states and their propensity to engage in aggressive international conduct. Among the chief threats to U.S. national security are acts of aggression by other states. Aggressive acts of war may directly endanger the United States, as did the Japanese bombing of Pearl Harbor in 1941, or they may require U.S. military action overseas, as in Kuwait fifty years later. Evidence from the post-Cold War period [\*250] indicates that states that systematically abuse their own citizens' human rights are also those most likely to engage in aggression. To the degree that improvements in various states' human rights records decrease the likelihood of aggressive war, a foreign policy informed by human rights can significantly enhance U.S. and global security.¶ Since 1990, a state's domestic human rights policy appears to be a telling indicator of that state's propensity to engage in international aggression. A central element of U.S. foreign policy has long been the preservation of peace and the prevention of such acts of aggression. n2 If the correlation discussed herein is accurate, it provides U.S. policymakers with a powerful new tool to enhance national security through the promotion of human rights. A strategic linkage between national security and human rights would result in a number of important policy modifications. First, it changes the prioritization of those countries U.S. policymakers have identified as presenting the greatest concern. Second, it alters some of the policy prescriptions for such states. Third, it offers states a means of signaling benign international intent through the improvement of their domestic human rights records. Fourth, it provides a way for a current government to prevent future governments from aggressive international behavior through the institutionalization of human rights protections. Fifth, it addresses the particular threat of human rights abusing states obtaining weapons of mass destruction (WMD). Finally, it offers a mechanism for U.S.-U.N. cooperation on human rights issues.

necessity currently exists or is on the horizon.

## Systemic Violence

### Long

#### a. Gun ownership makes intimate partner violence deadly

Everytown for Gun Safety ’14 (Everytown for Gun Safety, 6-16-2014, "Guns and Violence Against Women," Everytown for Gun Safety is a nonprofit which advocates for gun control combining Mayors Against Illegal Guns, <http://everytownresearch.org/reports/guns-and-violence-against-women/>) brackets for offensive language

Domestic violence [Intimate partner violence] in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined. And people with a history of committing domestic violence [intimate partner violence] are five times more likely to subsequently murder an intimate partner when a firearm is in the house. At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members. And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.

#### b. Plan is key to prevent successful suicides

Miller et. al ’15 (Matthew Miller, Catherine Barber, Richard A. White, Deborah Azrael, “Firearms and Suicide in the United States,” <http://www.medscape.com/viewarticle/811501>)

On an average day in the United States, more than 100 Americans die by suicide; half of these suicides involve the use of firearms. In this ecological study, we used linear regression techniques and recently available state-level measures of suicide attempt rates to assess whether, and if so, to what extent, the well-established relationship between household firearm ownership rates and suicide mortality persists after accounting for rates of underlying suicidal behavior. After controlling for state-level suicide attempt rates (2008–2009), higher rates of firearm ownership (assessed in 2004) were strongly associated with higher rates of overall suicide and firearm suicide, but not with nonfirearm suicide (2008–2009). Furthermore, suicide attempt rates were not significantly related to gun ownership levels. These findings suggest that firearm ownership rates, independent of underlying rates of suicidal behavior, largely determine variations in suicide mortality across the 50 states. Our results support the hypothesis that firearms in the home impose suicide risk above and beyond the baseline risk and help explain why, year after year, several thousand more Americans die by suicide in states with higher than average household firearm ownership compared with states with lower than average firearm ownership.

#### **c. Aff is key to solve masculinized gun culture which causes racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower**

Gahman ’14 (Levi, University of British Columbia, “Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas,” *Gender, Place & Culture: A Journal of Feminist Geography* 2014, Academia) OS

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger sociopolitical structures that influence the decisions people are allowed to make. As such, the interlocking influences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergymembers, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reification of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reaffirmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualifiers noting that ‘safety and respect’ are first and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that firearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a rifle that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signifies a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow 1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codifies their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

#### d. Plan solves a major avenue for the infliction of white racial terror upon black communities, and gun violence locks in cycles of racist oppression

Peniel ’15 (Joseph Peniel, Reporter for Newsweek, “Guns Have Been the Most Dramatic Weapon Used Against African-Americans, but Not the Most Effective,” Newsweek, 6/23, [http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african- americans-not-most-346101](http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african-%20americans-not-most-346101))

African-American veterans returned from World War I with a renewed militancy that helped ignite a New Negro Movement that promoted black political self-determination. New Negroes flocked to Marcus Garvey’s Universal Negro Improvement Association, creating businesses, publishing newspapers and preaching a gospel of racial unity whose cultural arm would flower in the Harlem Renaissance. But whites’ anti-black violence, often backed by guns, was never far away. Racial segregation in public accommodations and the disenfranchisement of black voters was backed by both public policy and popular consensus. Just as guns, many of them—including those wielded by black soldiers—helped to end slavery and win the Civil War, it would take thousands of guns—this time wielded by white supremacists—to enable white Southerners to win the peace. The modern civil rights era unfolded against this backdrop, where whites used guns and threats of violent reprisals to ensure a brutally unjust racial order. The movement’s nonviolent face, personified by Dr. Martin Luther King Jr.’s dream of a “beloved community,” hid a long history of armed self-determination within the black community. Malcolm X’s scathing broadsides against white violence included open advocacy for armed self-defense so that blacks could achieve liberation “by any means necessary,” as he often said in speeches during the early 1960s. While most African-Americans avoided taking up arms, some did, including Robert F. Williams, a North Carolina NAACP activist and author of Negroes With Guns (1962); the Deacons for Defense and Justice; and the Black Panthers. Both Williams and the Deacons offered armed protection against racist terror for nonviolent civil rights activists in the South. Members of the Student Non-Violent Coordinating Committee (or SNCC, pronounced “snick) encountered an older generation of Southern blacks who never left their rural homes without carrying a pistol or shotgun for protection. The Black Panthers for a time went further, shifting from a self-defensive posture into an open advocacy of “revolutionary violence” before being pummeled into submission by the FBI and local authorities through state-sanctioned violence. Yet the symbolism of black men and women confronting police brutality and racial violence armed with guns and law books resonates today. Post-civil-rights America has seen an explosion of guns and gun violence that has disproportionately hurt the African-American community. The flood of guns in racially segregated and impoverished black neighborhoods has produced catastrophic trauma in inner cities. Black homicide rates dwarf their white counterparts, with most victims killed by African-Americans, the pro-gun control Violence Policy Center reports. Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after Juneteenth delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

### Short

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Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after Juneteenth delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

### --- IPV

#### Status quo American guns laws disproportionately harm victims of intimate partner violence – reform is necessary.

Everytown ’14 [Everytown for Gun Safety, “GUNS AND VIOLENCE AGAINST WOMEN: America's Uniquely Lethal Domestic Violence Problem”, 6/16/14]

Like many women who suffer domestic abuse, Zina Daniel had endured years of escalating attacks by her husband and finally sought a restraining order. Under federal law, this prohibited her husband from buying or possessing firearms, and for good reason. “His threats terrorize my every waking moment,” she wrote in her petition. “He said he would kill me if I left him or even contacted the police.”[1](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_1) Zina’s fear was justified: two days later her husband exploited  a loophole in our nation’s laws and bought a gun from an unlicensed seller on the website Armslist.com, evading a background check. Three days later Zina was dead. America’s weak gun laws failed Zina, just as they fail countless other American women each year. In theory, these laws are designed to protect women in Zina’s circumstances, by keeping guns out of the hands of domestic abusers. But in practice, the laws are poorly defined and poorly enforced, and the results are as predictable as they are devastating. Women in the United States are eleven times more likely to be murdered with guns than women in other high-income countries.[2](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_2) When it comes to gun violence, the most dangerous place for a woman in the developed world is America. Domestic violence in America is to a significant degree a problem of gun violence. Over the past 25 years, more intimate partner homicides in the U.S. have been committed with guns than with all other weapons combined.[3](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_3) And people with a history of committing domestic violence are five times more likely to subsequently murder an intimate partner when a firearm is in the house.[4](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_4) At the same time, an astonishing share of gun violence in America is driven by domestic violence. More than half of women murdered with guns in the U.S. in 2011 — at least 53 percent — were killed by intimate partners or family members.[5](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_5) And research by Everytown for Gun Safety establishes that this is also true for mass shootings: in 57 percent of the mass shootings between January 2009 and June 2014, the perpetrator killed an intimate partner or family member.[6](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_6) Because of the risk that firearms pose when they intersect with domestic violence, a series of federal and state laws aim to keep guns out of the hands of the most dangerous domestic violence offenders. The strongest laws prohibit domestic abusers and stalkers from buying or possessing guns, require background checks for all gun sales, and create processes to ensure that abusers and stalkers surrender the guns already in their possession. When these laws are on the books and enforced properly, they save lives. In the past sixteen years, the background check system has kept hundreds of thousands of guns out of abusers’ hands and prevented countless crimes.[7](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_7) And in states that require background checks for all handgun sales, there are 38 percent fewer women shot to death by intimate partners.[8](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_8) But because of loopholes in these laws and failures to enforce them, they do too little to curb the uniquely lethal American problem of guns and violence against women. Four gaps in the law are particularly harmful: First, federal law does nothing to keep guns out of the hands of abusive dating partners or convicted stalkers. The federal laws prohibiting domestic abusers from buying or owning guns do not apply to dangerous people convicted of misdemeanor stalking offenses or to dating partners—even though more women in the U.S. are killed by their dating partners than by their spouses.[9](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_9) In Everytown’s analysis of mass shootings, 25 percent of perpetrators that targeted an intimate partner had never married them nor had a child together, and thus would not likely qualify as intimate partners under current law. Second, in 35 states, state law does not prohibit all people convicted of misdemeanor domestic violence crimes and all people subject to restraining orders from buying or using guns.[10](http://everytownresearch.org/reports/guns-and-violence-against-women/#foot_note_10) So while domestic abusers in those states cannot possess guns under federal law, local law enforcement and prosecutors do not have the tools they need to enforce those restrictions. Third, federal law (and the law in most states) allows domestic abusers and stalkers to easily evade gun prohibitions by purchasing guns from unlicensed, private sellers. Federal law only requires background checks for gun sales at licensed dealers. Sixteen states require checks on all handgun sales, but in the remaining states, prohibited abusers seeking to avoid a background check have little trouble purchasing a gun from an unlicensed seller they meet online or at a gun show. Prohibited domestic abusers are well aware of this loophole—and have taken advantage of it to deadly effect. In a first-of-its-kind investigation of illegal online gun sales, Mayors Against Illegal Guns found that 1 of 4 prohibited purchasers seeking guns online had a domestic violence arrest. Finally, forty-one states do not require all prohibited domestic abusers to relinquish guns they already own. Without a clear law on the books that provides an enforceable process by which offenders relinquish their firearms, it is too easy for dangerous abusers to keep their guns even after they commit offenses that prohibit them from having them. The strongest state laws establish a clear process that courts and law enforcement can use to make sure prohibited batterers turn in their guns, but far too many states lack these laws or do not enforce them adequately.

#### Gun control is a critical feminist issue – the aff checks back against misogynistic tendencies in American culture and reduces violence.

Cheung ’15 [[KYLIE CHEUNG](http://www.bustle.com/authors/1079-kylie-cheung), News & Politics writer for Bustle, “Why Gun Control Is A Feminist Issue, Because Mass Shootings Disproportionately Target Women”, 10/5/2015]

On Thursday, yet another mass shooting occurred, this time on the Umpqua Community College campus. The shooting resulted in 10 deaths, including the gunman, and a renewed national dialogue around the need for gun control. Though often discussed from the crucial angles of public safety and mental health, [gun control is seldom regarded as the feminist issue](http://www.theguardian.com/commentisfree/2015/sep/16/many-shootings-not-called-by-proper-name-domestic-violence) it arguably is, The Guardian points out. It's rarely taken into account that not only are many acts of [gun violence performed in the context of domestic violence](http://www.bloomberg.com/politics/articles/2015-07-22/will-congress-link-domestic-violence-with-gun-control-), according to Bloomberg, but some recent mass shootings have also been reportedly motivated by misogyny. Some psychologists have even identified pervasive societal concepts about hyper-masculinity as motivating factors in mass shootings, which are predominantly carried out by male shooters. Allowing men with histories of domestic abuse to obtain guns, or not performing thorough background checks that could reveal violent histories, exposes women to be disproportionately victimized by gun violence. A study published in 2013 by the University of Washington revealed that a strong majority of [mass shootings in America were carried out by white males](http://jmm.sagepub.com/content/17/1/67.abstract) and found a ["correlation between feelings of entitlement among white males and homicidal revenge against a specific demographic."](http://www.vice.com/read/why-are-so-many-mass-shootings-committed-by-young-white-men-623) One of feminism's overarching goals is to check the destructive consequences of male and racial privilege in society, and according to the 2013 study, gun violence is arguably among these. Simultaneously, in many recent cases, the "specific demographic" in question is often racial minorities or women. In July, after leading a mass shooting at a screening of Trainwreck in a movie theater in Lafayette, Louisiana, it was revealed that John Russell Houser, the gunman identified by police, had a [history of violence toward his wife and daughter](http://mic.com/articles/122862/here-s-what-we-know-about-louisiana-shooter-john-russell-houser-s-online-presence) and misogynistic tendencies that potentially motivated him to carry out the shooting. According to the Associated Press, Houser's estranged wife once had to remove guns from their home and had him committed, alleging he was "[a danger to himself and others](http://bigstory.ap.org/article/7f781696f2e64df8848274d07759f3a1/latest-motel-room-searched-after-movie-theater-shooting)" and citing his "threatening behavior" in protesting their daughter's wedding. Although Houser never directly proclaimed or recorded his motive, it's certainly worth noting that he selected the predominantly female audience of Trainwreck, a feminist comedy written and produced by a famous feminist comedian, to conduct his shooting spree. [Houser legally obtained the gun](http://www.cnn.com/2015/07/24/us/louisiana-theater-shooting/) that he used to kill three (including himself) and injure nine, according to CNN, despite a history of allegations of threatening his wife and daughter, mental health issues, and posts inciting religious extremism from social media accounts associated with him. In some of these posts, Houser seems to have praised the anti-LGBTQ Westboro Baptist Church and shared links to misogynistic web pages discussing the roles of women in the church. The International Business Times reports that according to CNN investigative correspondent Drew Griffin, a [background check had been performed on Houser](http://www.ibtimes.com/how-did-lafayette-shooter-john-russell-houser-purchase-gun-known-history-mental-2024607) prior to selling him firearms, but his record lacked any convictions for serious crimes, despite domestic violence allegations and minor legal issues. Thus, Houser simply did not raise any red flags on the "instant background checks" performed on him. Griffin's findings points out two immediate concerns: the first being that domestic violence simply isn't taken seriously enough, and the second being that in many cases, background checks for gun purchases aren't thorough enough. Two women paid the price for gun control shortcomings in a shooting that was potentially motivated by one man's misogyny. In May 2014, 22-year-old Elliot Rodger killed six and injured 14 in the notorious Isla Vista shootings in California, as he attempted to carry out his["retribution" against women for rejecting him](http://www.cnn.com/2014/05/25/justice/california-shooting-revelations/), as well as sexually active men he envied. In a disturbing video Rodger posted prior to the shootings, he claimed he would "[slaughter every single spoiled, stuck-up, blond slut [he saw]](http://www.latimes.com/local/lanow/la-me-ln-transcript-ucsb-shootings-video-20140524-story.html)," according to the LA Times. In the video, Rodger also voiced his sense of entitlement to sexual favors from women, believing all women deserved to be punished for "rejecting" him. In a 140-page manifesto, Rodger went so far as to propose all women be kept in concentration camps, as if it weren't clear enough his actions were rooted in deep-seated misogyny. According to the Los Angeles Times, all three [guns registered under Rodger's name had been obtained legally](http://www.latimes.com/local/lanow/la-me-ln-isla-vista-shooting-witnesses-describe-gunman-20140524-story.html). Parents of Rodger's victims placed blame on the NRA and politicians above Rodger himself for not carrying out safe gun control regulation, and gun control proponents pointed out that doctors as well as Rodger's parents had [issued warnings about his mental health](http://www.nbcnews.com/storyline/isla-vista-rampage/isla-vista-tragedy-prompts-haunting-questions-n115906), according to NBC News. The Isla Vista shootings serve as a clearer example of how gun control could prevent violence that disproportionately targets women. More recently, in September, two Delta State University professors were shot and killed by one professor's live-in partner, identified as Shannon Lamb.Guardian columnist Jessica Valenti pointed out that the shooting was [rarely referred to the act of domestic violence](http://www.theguardian.com/commentisfree/2015/sep/16/many-shootings-not-called-by-proper-name-domestic-violence) that it was. "Until we start talking seriously about the intersection of gun violence and intimate partner violence, we will continue to watch as murders — many of them preventable — are perpetrated again and again," Valenti writes. And indeed, according to Bloomberg, of all women murdered by intimate partners between 2001 and 2012, 55 percent were killed with guns. Bloomberg also reports that women in the United States are 11 times more likely to be killed with guns than women in any other "high-income country." Most disturbing of all, a strong [majority of guns involved in such acts of violence are obtained entirely legally](http://www.bustle.com/articles/114372-this-shocking-infographic-about-mass-shootings-shows-just-how-many-legal-guns-are-involved). Obviously, women aren't the only people affected by gun violence, nor are they the only group who would benefit from stronger gun control laws. Domestic violence appears to be more of a strong risk factor of loose gun control than a direct consequence of it. However, there is no denying that gunmen involved in mass shootings are frequently white males: between 1982 and 2012, [all but one mass shooter were male, and in 44 of 62 case, the shooter was a white male](http://www.motherjones.com/politics/2012/07/mass-shootings-map). The desire to kill many is often rooted in some mental instability, but as Tanya Luhrmann, an anthropologist at Stanford University, points out, ["Mental illness actually does reflect the local culture."](http://www.huffingtonpost.com/soraya-chemaly/mass-killings-in-the-us-w_b_8234322.html) Tendencies toward violence are subtly rooted in how men are brought up by society, which arguably glorifies aggression in males. And as multiple studies reveal, a sense of born entitlement develops naturally in boys, who are more likely to feel unjustly wronged and respond with violence than females who encounter rejection and hardship. The simple fact is that an ingrained sense of male entitlement isn't going anywhere, but gun control is a critical feminist issue as it could check the tragic consequences of male entitlement turned violent.

### --- Culture Shift

#### We need to force the discussion on gun culture in America – it silently props up systems of subjugation based on race, class, and gender

Devega ’15 [[CHAUNCEY](http://www.salon.com/writer/chauncey_devega/) , His work has been featured by the Alternet, the BBC, the New York Daily News, the Week, the AP, and The Atlantic Monthly, “The plague of angry white men: How racism, gun culture & toxic masculinity are poisoning America”, Salon, 7/7/15]

Roof’s actions were those of the “angry white man” on steroids. While his feelings of toxic white masculinity could have been insulated by the relative privileges of being born into the middle class, he was instead suckered into a sense of white racial victimology, entitlement and identity politics by the right-wing media and online racist propaganda. Never did he think to identify the system he venerated, racial patriarchy, as the source of his own alienation. Instead, like so many other angry young men like him, he bought into it wholeheartedly. Roof’s translating this anger into violent action is (thankfully) a rare event in the United States. But, as sociologist Michael Kimmer detailed in his book [“Angry White Men,”](http://www.salon.com/2013/11/17/americas_angriest_white_men_up_close_with_racism_rage_and_southern_supremacy/) this sense of (white) grievance and anger is all too common. Guns are central to toxic white masculinity, as well as the broader white supremacist and conservative politics that Dylann Roof exemplified. In the United States, guns have a deep historic relationship to the maintenance and enforcement of hierarchies of race, class and gender. They were a tool for committing mass genocide against First Nations peoples, for example. They were given to white indentured servants in the 17th century as a way of cementing their identities as “free” people who could then be used to oppress and control black slaves and other people of color. Guns have been a tool for American plutocrats and the 1 percent to control the working classes and the poor. The gun is also a powerful symbol of masculinity and virility: A recent ad campaign by the manufacturer of the AR-15 rifle featured a picture of the weapon along with the tag line: [“Consider your man card reissued.”](http://gawker.com/5969150/bushmaster-firearms-your-man-card-is-revoked) As seen with Dylann Roof and other mass shooters (a group in which white males are grossly overrepresented) such as Elliot Rodger, Adam Lanza, the Columbine killers and James Holmes, toxic masculinity ([and a sense of aggrieved white male entitlement](http://www.alternet.org/culture/santa-barbara-mass-shooting-elliot-rodger-and-aggrieved-white-male-entitlement-syndrome)) is central to their decision [to use firearms to commit acts of mass murder](http://www.mediaed.org/toughguise2/april2014interview.html). The corporate news media does not want a sustained discussion of gun violence as a type of public health crisis. The corporate news media is also unwilling to discuss how domestic terrorism by right-wing white men is now the United States’ leading threat to public order. Very troublingly, the corporate news media considers it impolitic to explore how the right-wing echo chamber is radicalizing and weaponizing its followers. And there most certainly will not be a “national conversation” about toxic white masculinity and mass murder in the mainstream news media.

#### In the long-term, only the plan can create the *cultural shift* necessary to change the undercurrent of gun violence in America

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

#### **American masculinized gun culture causes racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower**

Gahman ’14 (Levi, University of British Columbia, “Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas,” *Gender, Place & Culture: A Journal of Feminist Geography* 2014, Academia) OS

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger sociopolitical structures that influence the decisions people are allowed to make. As such, the interlocking influences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergymembers, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reification of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reaffirmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualifiers noting that ‘safety and respect’ are first and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that firearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a rifle that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signifies a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow 1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codifies their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

#### Plan solves a major avenue for the infliction of white racial terror upon black communities, and gun violence locks in cycles of racist oppression

Peniel ’15 (Joseph Peniel, Reporter for Newsweek, "Guns Have Been the Most Dramatic Weapon Used Against African-Americans, but Not the Most Effective," Newsweek, 6/23, <http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african-> americans-not-most-346101)

African-American veterans returned from World War I with a renewed militancy that helped ignite a New Negro Movement that promoted black political self-determination. New Negroes flocked to Marcus Garvey’s Universal Negro Improvement Association, creating businesses, publishing newspapers and preaching a gospel of racial unity whose cultural arm would flower in the Harlem Renaissance. But whites’ anti-black violence, often backed by guns, was never far away. Racial segregation in public accommodations and the disenfranchisement of black voters was backed by both public policy and popular consensus. Just as guns, many of them—including those wielded by black soldiers—helped to end slavery and win the Civil War, it would take thousands of guns—this time wielded by white supremacists—to enable white Southerners to win the peace. The modern civil rights era unfolded against this backdrop, where whites used guns and threats of violent reprisals to ensure a brutally unjust racial order. The movement’s nonviolent face, personified by Dr. Martin Luther King Jr.’s dream of a “beloved community,” hid a long history of armed self-determination within the black community. Malcolm X’s scathing broadsides against white violence included open advocacy for armed self-defense so that blacks could achieve liberation “by any means necessary,” as he often said in speeches during the early 1960s. While most African-Americans avoided taking up arms, some did, including Robert F. Williams, a North Carolina NAACP activist and author of Negroes With Guns (1962); the Deacons for Defense and Justice; and the Black Panthers. Both Williams and the Deacons offered armed protection against racist terror for nonviolent civil rights activists in the South. Members of the Student Non-Violent Coordinating Committee (or SNCC, pronounced “snick) encountered an older generation of Southern blacks who never left their rural homes without carrying a pistol or shotgun for protection. The Black Panthers for a time went further, shifting from a self-defensive posture into an open advocacy of “revolutionary violence” before being pummeled into submission by the FBI and local authorities through state-sanctioned violence. Yet the symbolism of black men and women confronting police brutality and racial violence armed with guns and law books resonates today. Post-civil-rights America has seen an explosion of guns and gun violence that has disproportionately hurt the African-American community. The flood of guns in racially segregated and impoverished black neighborhoods has produced catastrophic trauma in inner cities. Black homicide rates dwarf their white counterparts, with most victims killed by African-Americans, the pro-gun control Violence Policy Center [reports](http://www.vpc.org/studies/blackhomicide14.pdf). Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after [Juneteenth](http://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/what-is-juneteenth/) delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

### --- Culture Shift Extra

#### Handgun violence is deeply ingrained in American culture to the point of normalization – easy availability of guns is the root cause.

Jacobs and Kairys 07 [James B. Jacobs and David Kairys, Professor of Law, Temple University, “Debate, Can Handguns Be Effectively Regulated?”, 156 U. PA. L. REV. PENNUMBRA 188, 2007]

However, Professor Jacobs ignores or underplays the reality and significance of the easy availability of handguns on urban streets and, increasingly, on the streets of many suburban and rural communities—which is enabled by the lack of regulation and the surprisingly legal channeling of handguns to criminals and youth. The terrible toll handgun violence exacts on individuals, families, communities and cities is traceable to the regularly ignored, essentially unregulated, handgun marketing system. Professor Jacobs makes some good points—some handgun regulation proposals that have gotten widespread attention seem more feel-good than effective, and there is no easy fix. But much can and should be done. The main problem is what I have called the “regrettable normalcy” with which we regularly approach handgun violence, the pervasive, numbing acceptance that fifty handgun deaths a day is [are] a normal or inevitable aspect of life in the U.S.A.

#### American romanticization of handgun violence disenfranchises struggling communities – the only option is challenging the cultural biases underlying gun ownership in America.

Jacobs and Kairys 07 [James B. Jacobs and David Kairys, Professor of Law, Temple University, “Debate, Can Handguns Be Effectively Regulated?”, 156 U. PA. L. REV. PENNUMBRA 188, 2007]

In communities that are deprived and struggling, the easy availability of handguns has created a daily disaster, fed false stereotypes (only a small proportion of black young men shoot people), provided another rationalization for the failure to deal with poverty or discrimination, and sapped efforts to reform and regain hope. Though the casualty numbers are usually lower in wealthier and whiter communities and rationalizations for denial are as easy to come by as handguns, the current level of handgun violence undermines the social and moral fabric of American society. The best hope for emerging from our disgraceful state of denial is to respectfully engage and challenge the cultural and political identification of guns with our nation’s highest ideals and the deadly legacy of that identification as it is currently conceived. It will take insightful and courageous leadership. Unregulated handgun markets have been imposed on urban and minority communities and have continuing broad support almost exclusively in rural areas. Large cities facing declining job opportunities, losses in population and tax revenues, and rising levels of deprivation are being forced to accommodate easily available handguns, which may well draw considerable opposition even in rural areas if explained and debated openly and honestly. In any event, denial and political expediency have reigned too long. The loss of life, the economic and social costs, and the undermining of safety and the quality of life in urban America are unacceptable.

#### The aff reshapes cultural values and lessens violence.

LaFollette 2K [LaFollette, Hugh, USF St. Petersburg Philosophy Professor, “Gun Control”, Ethics 110 (January 2000): 263–281]  
Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

#### Aff is key to solve masculinized gun culture which causes racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower

Gahman '14 (Levi Gahma, University of British Columbia, "Gun Rites: Hegemonic Masculinity and Neoliberal Ideology in Rural Kansas," Gender, Place and Culture: A Journal of Feminist Geography 2014, Academia)

For many of the participants, the tenets of neoliberalism (privatization, deregulation, free enterprise, cuts to social welfare, etc.) have fused with conservative Christianity to manufacture individualistic subjectivities that hold fast to the conviction that what one does in life (or does not do) in relation to Christian dogma, work ethic, and self-reliance determines their social standing as well as what happens to them in the afterlife. As a result, many participants expressed a desire to be ‘successful’, ‘good’, and ‘respectable’. Several men noted that achieving those goals is solely a matter of personal responsibility based upon the decisions they make, which are often closely linked to religious practice. Consequently, these liberal subjectivities leave little room for factoring in larger socio-political structures that inﬂuence the decisions people are allowed to make. As such, the interlocking inﬂuences of race, class, gender, sexuality, ability, age, and nationality often go unnoticed, remain invisible, or are dismissed altogether in favour of blaming or praising individual choices. Accordingly, the role of being ‘head of the household’ typically becomes the duty of the man, and his ability to protect and defend is often seen as an extension of his dedication to his loved ones. The propagation of such patriarchal beliefs is a direct result of the indoctrination that community members receive from socially conservative clergy-members, a colonial education system, and corporatized media/marketing that endorses heteronormative social relationships. The result is the reiﬁcation of an increasingly atomized mindset in which individuals believe they are solely responsible for their own social position in life. For men in rural Southeast Kansas, this is made manifest in the belief that they are in exclusive control of their own ability to succeed. As the well-being of the family is a core value for many men in the area, the subsequent safeguarding of their wife and children is paramount. In turn, owning a gun is thus reafﬁrmed as a symbol of masculine conviction and commitment to the family. Various research has also noted that gun ownership is closely tied to the role a man has in providing for his family, bonding with his children, and passing down technical expertise to future generations (Cox 2007; Stroud 2012). The role of the gun for many young children has become a prominent rite of passage and nostalgic symbol of time spent with their father. In Southeast Kansas these narratives of father–son (and sometimes daughter) bonding are usually couched with qualiﬁers noting that ‘safety and respect’ are ﬁrst and foremost when handling guns. Several participants mentioned being taught to ‘respect’ guns, learning that ﬁrearms are to be used primarily for sport/hunting/protection, and that caution should always be taken in order to ensure safety. At times, these narratives of safety and respect serve to distance guns from their associations as weapons by suggesting they are simply ancestral heirlooms. This rhetorical act of removing violence from guns and framing them as objects used in rites of passage is highlighted by James, a 32-year-old father, when asked about his thoughts on whether guns led to violence: They are just tools, they can be used for good or bad. I have been around guns most of my life, we mainly use them for shooting clay pigeons, target practice, or hunting. Growing up, we took a hunter’s safety course and learned to always treat guns with respect. My granddad and uncle were the ones who got me into hunting and shooting . . . It’s just something that has been passed down through the generations. When we go out hunting we’re on land that’s been in the family since the 1800s . . . so hunting keeps that connection going. I still have a riﬂe that’s been in the family for decades. Its something I’ll pass on to my son, or my daughter if she’s interested, and it’s probably something my kids will pass down as well. As can be indicted from the quote above, the ownership and use of guns signiﬁes a tie to family history, a connection to past ancestors, a relationship with the land, and a bond to the pioneer spirit of relatives who settled the area. These bucolic, sentimental connotations of guns being tied to the initial stages of colonialism of the area effectively negate the imperialistic genocide that was enacted upon Indigenous people during the time of white settlement. Consequently, such narratives effectively create what Foucault (Rabinow1991, 74) refers to as a ‘regime of truth’. For men in Southeast Kansas, the existing regime of truth codiﬁes their local history as one in which settler-missionaries tamed a chaotic and wild landscape into tranquil agrarian homesteads.

#### Plan solves a major avenue for the infliction of white racial terror upon black communities, and gun violence locks in cycles of racist oppression

Peniel '15 (Joseph Peniel, Reporter for Newsweek, "Guns Have Been the Most Dramatic Weapon Used Against African-Americans, but Not the Most Effective," Newsweek, 6/23, <http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african-> americans-not-most-346101)

African-American veterans returned from World War I with a renewed militancy that helped ignite a New Negro Movement that promoted black political self-determination. New Negroes flocked to Marcus Garvey’s Universal Negro Improvement Association, creating businesses, publishing newspapers and preaching a gospel of racial unity whose cultural arm would flower in the Harlem Renaissance. But whites’ anti-black violence, often backed by guns, was never far away. Racial segregation in public accommodations and the disenfranchisement of black voters was backed by both public policy and popular consensus. Just as guns, many of them—including those wielded by black soldiers—helped to end slavery and win the Civil War, it would take thousands of guns—this time wielded by white supremacists—to enable white Southerners to win the peace. The modern civil rights era unfolded against this backdrop, where whites used guns and threats of violent reprisals to ensure a brutally unjust racial order. The movement’s nonviolent face, personified by Dr. Martin Luther King Jr.’s dream of a “beloved community,” hid a long history of armed self-determination within the black community. Malcolm X’s scathing broadsides against white violence included open advocacy for armed self-defense so that blacks could achieve liberation “by any means necessary,” as he often said in speeches during the early 1960s. While most African-Americans avoided taking up arms, some did, including Robert F. Williams, a North Carolina NAACP activist and author of Negroes With Guns (1962); the Deacons for Defense and Justice; and the Black Panthers. Both Williams and the Deacons offered armed protection against racist terror for nonviolent civil rights activists in the South. Members of the Student Non-Violent Coordinating Committee (or SNCC, pronounced “snick) encountered an older generation of Southern blacks who never left their rural homes without carrying a pistol or shotgun for protection. The Black Panthers for a time went further, shifting from a self-defensive posture into an open advocacy of “revolutionary violence” before being pummeled into submission by the FBI and local authorities through state-sanctioned violence. Yet the symbolism of black men and women confronting police brutality and racial violence armed with guns and law books resonates today. Post-civil-rights America has seen an explosion of guns and gun violence that has disproportionately hurt the African-American community. The flood of guns in racially segregated and impoverished black neighborhoods has produced catastrophic trauma in inner cities. Black homicide rates dwarf their white counterparts, with most victims killed by African-Americans, the pro-gun control Violence Policy Center [reports](http://www.vpc.org/studies/blackhomicide14.pdf). Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after [Juneteenth](http://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/what-is-juneteenth/) delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

#### In the long-term, only the plan can create the cultural shift necessary to change the undercurrent of gun violence in America – Australia proves.

Donohue ’15 [[JOHN DONOHUE](http://www.newsweek.com/user/18974), columnist at Newsweek, “Gun Control: What We Can Learn From Other Advanced Countries”, Newsweek, 10/3/15]

The story of Australia, which had [13 mass shootings](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2704353/) in the 18-year period from 1979 to 1996 but none in the succeeding 19 years, is worth examining. The turning point was the 1996 Port Arthur massacre in Tasmania, in which a gunman killed 35 individuals using semiautomatic weapons. In the wake of the massacre, the conservative federal government succeeded in implementing tough new [gun control laws](http://www.loc.gov/law/help/firearms-control/australia.php) throughout the country. A large array of weapons were banned—including the Glock semiautomatic handgun used in the Charleston shootings. The government also imposed a mandatory gun buy back that substantially reduced gun possession in Australia. The effect was that both gun suicides and homicides (as well as total suicides and homicides) [fell](http://andrewleigh.org/pdf/gunbuyback_panel.pdf). In addition, the 1996 legislation made it a crime to use firearms in self-defense. When I mention this to disbelieving NRA supporters they insist that crime must now be rampant in Australia. In fact, the Australian murder rate has fallen to close to [one per 100,000](http://www.aic.gov.au/dataTools/facts/vicViolentRate.html) while the U.S. rate, thankfully lower than in the early 1990s, is still roughly at [4.5 per 100,000](https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/tables/1tabledatadecoverviewpdf/table_1_crime_in_the_united_states_by_volume_and_rate_per_100000_inhabitants_1994-2013.xls)—over four times as high. Moreover, robberies in Australia occur at [only about half](http://www.aic.gov.au/dataTools/facts/vicViolentRate.html) the [rate of the U.S.](https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/violent-crime/robbery-topic-page) (58 in Australia versus 113.1 per 100,000 in the U.S. in 2012). How did Australia do it? Politically, it took a brave prime minister to face the rage of Australian gun interests. John Howard [wore a bullet-proof vest](http://www.theage.com.au/news/national/anger-lingers-among-those-who-lost-their-firearms/2006/04/27/1145861489398.html) when he announced the proposed gun restrictions in June 1996. The deputy prime minister was [hung in effigy](http://www.latitudenews.com/story/i-was-hung-in-effigy-changing-a-countrys-gun-culture/). But Australia did not have a domestic gun industry to oppose the new measures, so the will of the people was allowed to emerge. And today, support for the safer, gun-restricted Australia is so strong that going back [would not be tolerated](http://www.theguardian.com/commentisfree/2013/dec/14/america-mass-murder-australia-gun-control-saves-lives) by the public. That Australia hasn’t had a mass shooting since 1996 is likely more than merely the result of the considerable reduction in guns—it’s certainly not the case that guns have disappeared altogether. I suspect that the country has also experienced a cultural shift between the shock of the Port Arthur massacre and the removal of guns from every day life as they are no longer available for self-defense and they are simply less present throughout the country. Troubled individuals, in other words, are not constantly being reminded that guns are a means to address their alleged grievances to the extent that they were in the past, or continue to be in the U.S.

#### We need to force the discussion on gun culture in America – it silently props up systems of subjugation based on race, class, and gender.

Devega ’15 [[CHAUNCEY DEVEGA](http://www.salon.com/writer/chauncey_devega/), His work has been featured by the Alternet, the BBC, the New York Daily News, the Week, the AP, and The Atlantic Monthly, “The plague of angry white men: How racism, gun culture & toxic masculinity are poisoning America”, Salon, 7/7/15]

Roof’s actions were those of the “angry white man” on steroids. While his feelings of toxic white masculinity could have been insulated by the relative privileges of being born into the middle class, he was instead suckered into a sense of white racial victimology, entitlement and identity politics by the right-wing media and online racist propaganda. Never did he think to identify the system he venerated, racial patriarchy, as the source of his own alienation. Instead, like so many other angry young men like him, he bought into it wholeheartedly. Roof’s translating this anger into violent action is (thankfully) a rare event in the United States. But, as sociologist Michael Kimmer detailed in his book [“Angry White Men,”](http://www.salon.com/2013/11/17/americas_angriest_white_men_up_close_with_racism_rage_and_southern_supremacy/) this sense of (white) grievance and anger is all too common. Guns are central to toxic white masculinity, as well as the broader white supremacist and conservative politics that Dylann Roof exemplified. In the United States, guns have a deep historic relationship to the maintenance and enforcement of hierarchies of race, class and gender. They were a tool for committing mass genocide against First Nations peoples, for example. They were given to white indentured servants in the 17th century as a way of cementing their identities as “free” people who could then be used to oppress and control black slaves and other people of color. Guns have been a tool for American plutocrats and the 1 percent to control the working classes and the poor. The gun is also a powerful symbol of masculinity and virility: A recent ad campaign by the manufacturer of the AR-15 rifle featured a picture of the weapon along with the tag line: [“Consider your man card reissued.”](http://gawker.com/5969150/bushmaster-firearms-your-man-card-is-revoked) As seen with Dylann Roof and other mass shooters (a group in which white males are grossly overrepresented) such as Elliot Rodger, Adam Lanza, the Columbine killers and James Holmes, toxic masculinity ([and a sense of aggrieved white male entitlement](http://www.alternet.org/culture/santa-barbara-mass-shooting-elliot-rodger-and-aggrieved-white-male-entitlement-syndrome)) is central to their decision [to use firearms to commit acts of mass murder](http://www.mediaed.org/toughguise2/april2014interview.html). The corporate news media does not want a sustained discussion of gun violence as a type of public health crisis. The corporate news media is also unwilling to discuss how domestic terrorism by right-wing white men is now the United States’ leading threat to public order. Very troublingly, the corporate news media considers it impolitic to explore how the right-wing echo chamber is radicalizing and weaponizing its followers. And there most certainly will not be a “national conversation” about toxic white masculinity and mass murder in the mainstream news media.

### --- Suicide

#### Guns enable impulsive, immediate, and deadly suicides—acknowledging gun possession as a risk factor is key—we must shift the discussion away from euphemisms

Mariani ’15 [Mike, Columnist at Newsweek, “America’s Biggest Gun Problem Is Suicide”, Newsweek, 11/21/15]

There’s a [culture of euphemism](https://www.psychologytoday.com/blog/struck-living/201005/dont-omit-the-obit) in obituaries involving gun suicide; “died suddenly,” “died at home” and "passed unexpectedly" are all used to cover an ugly fact. This systemic aversion to the topic has made it difficult for the general population to understand how suicide and gun ownership overlap, and enables firearm suicide to flourish in darkness. For example, it’s rarely something people consider when contemplating why someone took his own life; we don’t say “he owned a gun” the way we cite things like clinical depression, financial woes and drug problems—but we probably should. Evidence suggests guns are not just a means of executing a hard and fast decision to kill oneself; they are a risk factor that should be considered alongside mental illness, substance abuse and family history. David Hemenway, a professor of health policy and the director of the [Harvard Injury Control Research Center](http://www.hsph.harvard.edu/hicrc/) (HICRC), has studied firearm violence and the relationship between guns and suicide in the U.S. for 15 years. In that time, he has amassed an abundance of statistical evidence indicating that access to guns increases the chances of suicide. “Why does Arizona have more suicides than Massachusetts?” he asks. "Is it mental health, is it diet, or is it alcohol or smoking, or is it depression?” It’s none of those. The one thing that explains different rates of suicide across regions, states and even cities is simple: guns. In a [study published in 2008](http://www.nejm.org/doi/full/10.1056/NEJMp0805923) in the New England Journal of Medicine, Hemenway and his co-authors found that men were 3.7 times more likely to die by gun suicide in the 15 states with the highest rates of gun ownership compared to the six states with the lowest. Women in the states with the highest gun ownership were 7.9 times more likely to kill themselves with a firearm. And in a [2014 paper](http://mason.gmu.edu/~atabarro/BriggsTabarrokFirearmsSuicide.pdf) published in the International Review of Law and Economics, Justin Briggs and Alexander Tabarrok found that for every 1 percentage point increase in household gun ownership, suicide rates go up between 0.5 and 0.9 percent. The Briggs-Tabarrok effect, as it became known, starkly illustrates how in America having more guns leads to more suicides. One of the great misconceptions about suicide attempters is that, after considerable deliberation, they have reached a point of no return. In fact, in many cases the complete opposite is true. In an [oft-cited 2001 study](http://www.ncbi.nlm.nih.gov/pubmed/11924695) published in Suicide & Life-Threatening Behavior, 153 survivors of suicide attempts were asked when they had made the decision to kill themselves. Seventy percent of the responders said they had decided to kill themselves within an hour of the actual attempt; 24 percent said within less than five minutes. This phenomenon is known as suicide impulsivity, and it seems to find its perfect match in firearms. Shooting yourself does not entail the preparation of overdosing on pills or the grisly persistence of slitting your wrists. It is immediate and requires zero protracted thought: the perfect mechanism for the instant fulfillment of what might otherwise be a fleeting inclination. The problem is that firearms are frighteningly lethal. The most common method of attempting suicide, overdosing on drugs, has a completion rate of just 3 percent (in other words, 97 percent of attempters survive). Gun suicide, by comparison, has a completion rate of 85 percent. This is surely gun violence at its most virulent—Berettas and Glock 17s crystallizing passing impulses into something horrifically permanent—and yet it is rarely, if ever, acknowledged as a gun issue. For years, the HICRC has been trying to change this through its [“Means Matter” campaign](http://www.hsph.harvard.edu/means-matter/means-matter/), a suicide prevention initiative focused on what is called "means restriction.” The idea is that if we can restrict the availability of lethal means for individuals showing warning signs of suicide, we can stymie impulsive attempters until the desire passes, saving lives. There are convincing precedents. One is what suicide prevention experts refer to as the "British coal-gas story." In the 1950s, domestic gas in the United Kingdom contained high levels of carbon monoxide, and self-administered gas inhalation poisoning was the leading means of suicide in the country. By the end of the decade, carbon monoxide poisoning accounted for roughly 2,500 suicides a year, slightly under half the nation’s total. In the 1960s, the British government undertook the detoxification of domestic gas, replacing the coal-derived gas high in carbon monoxide with nontoxic natural gas. By the early 1970s, the country's suicide rate had dropped by almost a third. Even more directly relevant is the success of an [Israeli Defense Forces policy change](http://www.ncbi.nlm.nih.gov/pubmed/21034205) that went into effect in 2006. That year, in an effort to prevent suicides in the military—90 percent of which occurred with firearms, often when soldiers were on weekend leave—the military didn’t let soldiers take their firearms off base on weekends. The suicide rate fell by 40 percent. Despite those impressive results, codifying some form of means restriction into law in the U.S. seems impossible. Here’s where politics enters the fray. Firearm suicide by its very nature is a confluence of two social issues—gun rights and suicide—that are most often discussed and understood in isolation, the former a polarizing political wedge calcified along party lines, and the latter typically interpreted in the context of mental health and psychiatric illness. Truly substantive means restriction—imposing significantly more stringent background checks on handguns, for example—would require a level of political consensus that is just not possible in a U.S. where Second Amendment furor is as strong as ever. Even small compromises between gun owners and activists are fought over with vehemence. Take trigger locks, for example, the small metal devices that [clamp around a gun’s trigger](http://smartgunlaws.org/safe-storage-gun-locks-policy-summary/). Those fighting for means restriction argue that by legally requiring guns to be stored in a locked container or secured with a trigger lock, you could create enough of an impediment to gun access that it would significantly cut down on suicide rates—all without actually taking people’s guns away. But Massachusetts is the only state with such a [legal requirement](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section131L), and in 2008’s District of Columbia v. Heller, the Supreme Court struck down a portion of the Firearms Control Regulations Act that required all firearms in Washington, D.C.—the city with some of the strictest gun laws in the country—to be kept unloaded or trigger locked, deeming it a violation of the Second Amendment. The fight over trigger locks might seem petty, but the reality is that even incremental limitations on gun access could have dramatic effects on suicide rates. That’s because people can and do usually overcome the desire to kill themselves. Dese’Rae L. Stage, 32, a photographer and writer who lives in Philadelphia, is one such survivor. Trapped in an abusive relationship, one night in 2006, Stage says she “lost it.” After a desperate call to her girlfriend was coldly rebuffed, “I just decided that that was it.” She took enough wine and pills to end her life, but her girlfriend alerted the police, who barged into her apartment. They took her to the emergency room, where she was treated and released three hours later. Today, Stage is an outspoken advocate for suicide attempters as founder of the[Live Through This](http://livethroughthis.org/) project, in which survivors tell their stories. After years working with survivors, she knows firsthand that if you can eliminate a suicidal person’s access to a gun, he or she will likely survive to tell the tale. “There’s this myth that someone who is suicidal, when impeded from an attempt, will just find another way,” she says. “Not true.” The data backs her up: Over 90 percent of all attempters never die by suicide. Limit access to bridges and guns, and that number will surely creep toward 100 in the U.S.

#### Only gun control can minimize preventable suicides

HSPS ’08 (Harvard School of Public Health, “Guns and suicide: A fatal link”, Spring 2008)

In the United States, [suicides](http://www.hsph.harvard.edu/news/topics/suicide/) outnumber [homicides](http://www.hsph.harvard.edu/news/topics/violence/) almost two to one. Perhaps the real tragedy behind suicide deaths—about 30,000 a year, one for every 45 attempts—is that so many could be prevented. Research shows that whether attempters live or die depends in large part on the ready availability of highly lethal means, especially firearms. A study by the Harvard School of Public Health of all 50 U.S. states reveals a powerful link between rates of firearm ownership and suicides. Based on a survey of American households conducted in 2002, HSPH Assistant Professor of [Health Policy and Management](http://www.hsph.harvard.edu/departments/health-policy-and-management/) [Matthew Miller](http://www.hsph.harvard.edu/faculty/matthew-miller), Research Associate Deborah Azrael, and colleagues at the [School’s Injury Control Research Center](http://www.hsph.harvard.edu/research/hicrc/) (ICRC), found that in states where guns were prevalent—as in Wyoming, where 63 percent of households reported owning guns—rates of suicide were higher. The inverse was also true: where gun ownership was less common, suicide rates were also lower. The lesson? Many lives would likely be saved if people disposed of their firearms, kept them locked away, or stored them outside the home. Says HSPH Professor of Health Policy [David Hemenway](http://www.hsph.harvard.edu/faculty/david-hemenway), the ICRC’s director: “Studies show that most attempters act on impulse, in moments of panic or despair. Once the acute feelings ease, 90 percent do not go on to die by suicide.” But few can survive a gun blast. That’s why the ICRC’s Catherine Barber has launched Means Matter, a campaign that asks the public to help prevent suicide deaths by adopting practices and policies that keep guns out of the hands of vulnerable adults and children. For details, visit [www.meansmatter.org](http://www.meansmatter.org/).

#### ***Australia proves gun bans are effective—solved homicides, suicides, robberies, and caused cultural shift that ensured long-term effectiveness***

*Donohue ’15 (John, C Wendell and Edith M Carlsmith Professor of Law at Stanford University, “Ban guns, end shootings? How evidence stacks up around the world,” 2015,* [*http://www.cnn.com/2015/08/27/opinions/us-guns-evidence/*](http://www.cnn.com/2015/08/27/opinions/us-guns-evidence/)*) OS*

*In the wake of the massacre, the conservative federal government succeeded in implementing tough new gun control laws throughout the country. A large array of weapons were banned -- including the Glock semiautomatic handgun used in the Charleston shootings. The government also imposed a mandatory gun buy back that substantially reduced gun possession in Australia. The effect was that both gun suicides and homicides (as well as total suicides and homicides) fell. In addition, the 1996 legislation made it a crime to use firearms in self-defense. When I mention this to disbelieving NRA supporters they insist that crime must now be rampant in Australia. In fact, the Australian murder rate has fallen to close to one per 100,000 while the U.S. rate, thankfully lower than in the early 1990s, is still roughly at 4.5 per 100,000-- over four times as high. Moreover, robberies in Australia occur at only about half the rate of the U.S. (58 in Australia versus 113.1 per 100,000 in the U.S. in 2012). How did Australia do it? Politically, it took a brave prime minister to face the rage of Australian gun interests. John Howard wore a bullet-proof vest when he announced the proposed gun restrictions in June 1996. The deputy prime minister was hung in effigy. But Australia did not have a domestic gun industry to oppose the new measures so the will of the people was allowed to emerge. And today, support for the safer, gun-restricted Australia is so strong that going back would not be tolerated by the public. That Australia hasn't had a mass shooting since 1996 is likely more than merely the result of the considerable reduction in guns -- it's certainly not the case that guns have disappeared altogether. I suspect that the country has also experienced a cultural shift between the shock of the Port Arthur massacre and the removal of guns from every day life as they are no longer available for self-defense and they are simply less present throughout the country. Troubled individuals, in other words, are not constantly being reminded that guns are a means to address their alleged grievances to the extent that they were in the past, or continue to be in the US.*

### --- Crime

#### Consistent data indicate that gun bans both cut crime rates and aren’t offset by underground markets.

Cook and Ludwig ’10 [Philip J. Cook and Jens Ludwig, “Five Myths About Gun Control”, Washington Post, 2010] VM

3. When more households have guns for self-defense, crime goes down. Fans of the Heller decision in D.C., and people hoping for a similar outcome in Chicago, believe that eliminating handgun bans and having more households keep guns for self-protection leads to less crime. The rationale: More guns enable more people to defend themselves against attackers; there might also be a general deterrent effect, if would-be criminals know that their victims could be armed. Such arguments cannot be dismissed. The key question is whether the self-defense benefits of owning a gun outweigh the costs of having more guns in circulation. And the costs can be high: more and cheaper guns available to criminals in the "secondary market" -- including gun shows and online sales -- which is almost totally unregulated under federal laws, and increased risk of a child or a spouse misusing a gun at home. Our research suggests that as many as 500,000 guns are stolen each year in the United States, going directly into the hands of people who are, by definition, criminals. The data show that a net increase in household gun ownership would mean more homicides and perhaps more burglaries as well. Guns can be sold quickly, and at good prices, on the underground market. 4. In high-crime urban neighborhoods, guns are as easy to get as fast food. There are roughly 250 to 300 million guns in circulation in the United States. That number strikes some as so high that regulation seems futile. Opponents of gun control cite the sentiment of one Chicago gang member, who said in a 1992 newspaper interview that buying a gun is "like going through the drive-through window. Give me some fries, a Coke and a 9-millimeter." Our own study of the underground gun market in Chicago, with Columbia sociologist Sudhir Venkatesh and Harvard criminologist Anthony Braga, contradicts this claim. [shows] Handguns that can be bought legally for around $100 sell on the street in Chicago for $250 to $400. Surveys of people who have been arrested find that a majority of those who didn't own a gun at the time of their arrest, but who would want one, say it would take more than a week to get one. Some people who can't find a gun on the street hire a broker in the underground market to help them get one. It costs more and takes more time to get guns in the underground market -- evidence that gun regulations do make some difference. 5. Repealing Chicago's handgun ban will dramatically increase gun crimes. Many legal analysts predict that Chicago's handgun ban is done for. While proponents of gun control may feel discouraged, the actual impact could be minimal, depending on what regulations the court allows Chicago to put on the books instead. New York City, for example, makes it quite difficult for private citizens to obtain handguns through an expensive and drawn-out permitting process that falls short of an outright ban. Local officials from Dodge City to Chicago have understood that some regulation of firearms within city limits is in the public's interest, and that regulation and law enforcement are important complements in the effort to reduce gun violence. Even before the repeal of D.C.'s handgun ban, the city's police [reestablished a gun-recovery unit](http://www.washingtonpost.com/wp-dyn/content/article/2007/10/11/AR2007101100935.html) and focused on seizing illegal firearms. The city's homicide rate has been relatively flat the past several years. If the court decides that Chicago must follow D.C's lead in getting rid of its handgun ban, we can only hope that it leaves the door open for sensible control measures.

#### This influence is empirically confirmed --- denial of purchase decreases risk of recidivism.

(Garen J. Wintemute 13 [renowned expert on the public health crisis of gun violence and a pioneer in the field of injury epidemiology and prevention of firearm violence, which results in approximately 30,000 deaths a year and approximately 75,000 nonfatal injuries seen in hospital emergency departments, md, mph], “REDUCING GUN VIOLENCE IN AMERICA Informing Policy with Evidence and Analysis”, Center for Gun Policy and Research Johns Hopkins Bloomberg School of Public Health, 2013//FT)

Most importantly, denial appears to reduce risk for new criminal activity among those persons who are denied. The strongest evidence for this comes from a quasi-experimental evaluation of California’s decision to extend its prohibitions to persons convicted of violent misdemeanors (Wintemute et al. 2001). The prohibition lasts for 10 years following their convictions. Study subjects were aged 21 to 34; all had prior convictions for violent misdemean- ors. The intervention group comprised 927 persons who sought to purchase handguns in 1991 and were denied under the terms of the new policy. The control group included 727 persons who sought to purchase handguns in 1989 or 1990, just before the policy changed, and whose purchases were ap- proved. Subjects were followed for up to three years. Overall, 33.0% of subjects were arrested during follow-up: 21.8% for a firearm- related or violent offense and 22.1% for offenses of other types (Table 6.4). Per- sons whose purchases were approved were more likely than those who were denied to be arrested for a firearm-related or violent offense (relative hazard 1.2) but not for other offenses (relative hazard 0.9). In both groups, as always, risk of arrest was strongly related to age and the number of prior misde- meanor convictions (Table 6.4). Denial was associated with a significant decrease in risk of arrest, both overall and for subjects stratified by age or number of prior convictions. These findings persisted in multivariate analysis (Table 6.5). Purchasers were more likely than denied persons to be arrested for new firearm-related or violent crimes (relative hazard 1.3), but not for other crimes (relative hazard 1.0). Simi- lar results were seen in subgroups stratified by age, number of prior convictions for any crime, and number of prior convictions for a firearm-related or violent crime. The only exception was for subjects with three or more prior convictions for firearm-related or violent crimes. In this group with an established pattern of such activity, denial of handgun purchase may have no effect.

#### People with records are *way* more prone to handgun violence.

Garen J. Wintemute 13 [renowned expert on the public health crisis of gun violence and a pioneer in the field of injury epidemiology and prevention of firearm violence, which results in approximately 30,000 deaths a year and approximately 75,000 nonfatal injuries seen in hospital emergency departments, md, mph], “REDUCING GUN VIOLENCE IN AMERICA Informing Policy with Evidence and Analysis”, Center for Gun Policy and Research Johns Hopkins Bloomberg School of Public Health, 2013, BE

The research on misdemeanor violence comes from California. The first study concerned 5,923 authorized purchasers of handguns ages 21 to 49 in 1977 (Wintemute et al. 1998). Of these handgun purchasers, 3,128 had at least one prior misdemeanor conviction (not necessarily for a violent offense), and 2,795 had no prior criminal history. Over 15 years of follow-up, 50.4% of purchasers with prior convictions, but only 9.8% of those with no prior criminal history, were arrested for a new offense (Table 6.1). Approximately one in six purchasers with a prior misdemeanor conviction (15.4%) was arrested for a violent Crime Index offense: murder, rape, robbery, or aggravated assault. There was a strong dose-response relationship among men; risk of arrest in- creased with the number of prior convictions (Table 6.1). There also appeared to be some specificity of association, in that prior convictions for offenses involving firearms or violence were associated with the greatest risk of subsequent arrests for violent or firearm-related offenses. Handgun purchasers with two or more prior convictions for violent crimes were at substantially increased risk of arrest for violent crimes generally (relative risk 10.4), and the violent Crime In- dex offenses (relative risk 15.1). But even purchasers with only a single prior mis- demeanor conviction, and that for an offense involving neither firearms nor vio- lence, were still approximately five times as likely as those with no prior criminal history to be arrested subsequently for firearm-related or violent crimes. At the time these handgun purchases were made, California still relied on the criminal history criteria in federal statute, as many states do today. On that parameter, this study population is generally comparable to persons who purchase handguns now from licensed retailers across the United States. More recent research measured the incidence of criminal activity serious enough to prohibit firearm ownership among people who had previously, and legally, purchased handguns (Wright and Wintemute 2010). This study was conducted after California began prohibiting violent misdemeanants from purchasing firearms, and such persons are not part of the study population. A cohort of 7,256 handgun purchasers in 1991, 2,761 with a non-prohibiting criminal history and 4,495 with no criminal record at the time of purchase, were followed for up to five years. During that time, 21.0% of purchasers with convictions for non-violent misdemeanors were arrested, and 4.5% were con- victed of a crime that prohibited firearm ownership under federal law. The incidence of criminal activity among those with no criminal history was much lower; 3.7% were arrested for any reason, and 0.9% became prohibited persons. Prior conviction for a non-violent misdemeanor was associated with a five-fold increase in risk of conviction for a prohibiting offense (hazard ra- tio 5.1), as in the prior study.

## Solvency

### Long

#### Bans are effective—

#### a. Highest quality data flows aff—handguns are specifically key

Dixon ’11 (Nicholas Dixon, associate professor of philosophy, Alma College, “Handguns, Philosophers, and the Right to Self-Defense,” *International Journal of Applied Philosophy*, Vol. 25 No. 2, 2011)

Before turning to nonconsequentialist defenses of handguns based on the right to self-defense, a brief sketch of my original utilitarian argument for prohibition is in order. Its starting point is a striking set of international data. The United States far outstrips five other developed countries (Australia, Canada, Israel, Sweden, and the United Kingdom) in both handgun ownership and handgun homicide rates per 100,000 people. The United States' handgun homicide rate is over twenty times greater than that in these other countries, and its handgun ownership rate is over nine times as high. 4 My reason for singling out handguns for prohibition in the United States is that they are, in this country, the firearm of choice of criminals, being used in at least 72.2 percent of firearms homicides in the years 2006—2010.5 Substantially reducing the number of handguns in the U.S. will very likely substantially reduce the rate of total homicide. This prediction is based not only on the noted statistics, but also on the following considerations, which constitute a rudimentary causal theory. First, a large proportion of these crimes is currently committed with handguns. Since 1970, approximately one-half of the homicides in the U.S. have been committed with handguns. In 2006-2010, an average of 6,909 homicides (48.7 percent of all homicides) was committed per year With handguns.6 Second, because of their cheapness, concealability, ease of use, and lethality, handguns are ideally suited to the commission of crimes and criminals are highly unlikely to be able to commit as many violent crimes by switching to alternative weapons. Third, other weapons that assailants might substitute for firearms are far less lethal than handguns, and in the case of firearms other than handguns, although the wounds that they inflict are more serious, their lower concealability makes it harder to inflict wounds in the first place.' Since the appearance of my first articles, social scientists have performed far more sophisticated statistical analyses of much more comprehensive comparative data, and they provide strong support for my causal hypothesis that prohibition would reduce homicide in the U S. In three separate studies of fourteen, eighteen, and twenty-one countries, Martin Killias has found that the prevalence of firearms is strongly correlated with the firearms homicide rate. The first study indicated a correlation of .746 (where 1 is a perfect correlation), with a probability of less than 0.01 that this would happen by chance, the second produced a correlation of .476—.610 (p<0.031) and the third indicated a correlation of .54 (p<0.05) when the countries with extreme scores are excluded.10 More important, both Killias's and other studies have shown a correlation between gun ownership and total (gun plus non-gun) homicide rates. Most notably, in a 2000 study of twenty-six high-income countries, David Hemenway and Matthew Miller found a correlation of .69 (p<0.00). This study is of special interest because it investigated twenty-six of the twenty-seven countries with a population of over one million defined by the World Bank as high income or highly industrialized. Focusing on a more homogenous group of countries helps to narrow attention to the variable in question—firearms—and minimizes the confounding effect of other causes of homicide. Hemenway and Miller's study found that the overall homicide rate in the U.S. was 5.98 times higher than in the other twenty-five countries, thus obvi- ating the objection that the total homicide rate in these other countries could be just as high as in the U.S., due 'to non-handgun homicides. Finally, in a study of twelve countries using some of Killias's data, Gregg Lee Carter concludes that total homicide is correlated with gun ownership at a rate of .67 and with handgun ownership at a rate of .84." In its review of the literature on the connection between firearms and violence, the National Academy of Science concludes that "in comparisons among countries, there is a substantial association between gun ownership and homicide." 14 To complete the argument that these correlations indicate that handguns cause murder, we need to rule out alternative explanations of the data. First, causation may operate in reverse, in that handgun ownership may be a response to high homicide rates, not a cause, because some people buy firearms to protect them- selves against crime. Second, both handgun ownership and homicide rates may be a function of a third factor, while not affecting each other. In this vein, some proponents of gun rights argue that the United States' very high handgun owner- ship and overall homicide rates are both caused by some third factor unrelated to guns. The second hypothesis is hard to reconcile with the data. Any causes that lead Americans to buy more guns and commit more homicides than inhabitants of other affluent societies—for example, a greater propensity to violence—should equally affect homicide in general and not just homicides committed with firearms. What we find, in contrast, is a far greater disparity between the United States and Western European countries in firearms homicide than in non-gun homicide. The American firearm homicide rate is 4.96 times higher than the average rate in eighteen Western European countries, but its non-gun homicide rate is only 1.96 times higher than the European rate.15 While this data lends some support for the existence of a greater propensity to violence in the United States independent of firearms, the only plausible explanation of the far greater disparity in firearms homicide is that the prevalence of guns is itself a significant causal factor.

#### **Outweighs:**

#### 1. Specificity—specific to handguns—also means aff solves all your offense because other weapons that have less of a potential for problematic usage can be deployed

#### 2. Scope—cites multiple comprehensive studies

#### 3. Strength of the data—cites a correlation of .746—means you err aff if they read a few studies with weaker conclusions

#### **b. Australia proves gun bans are effective—solved homicides, suicides, robberies, and caused cultural shift that ensured long-term effectiveness**

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In the wake of the massacre, the conservative federal government succeeded in implementing tough new gun control laws throughout the country. A large array of weapons were banned -- including the Glock semiautomatic handgun used in the Charleston shootings. The government also imposed a mandatory gun buy back that substantially reduced gun possession in Australia. The effect was that both gun suicides and homicides (as well as total suicides and homicides) fell. In addition, the 1996 legislation made it a crime to use firearms in self-defense. When I mention this to disbelieving NRA supporters they insist that crime must now be rampant in Australia. In fact, the Australian murder rate has fallen to close to one per 100,000 while the U.S. rate, thankfully lower than in the early 1990s, is still roughly at 4.5 per 100,000-- over four times as high. Moreover, robberies in Australia occur at only about half the rate of the U.S. (58 in Australia versus 113.1 per 100,000 in the U.S. in 2012). How did Australia do it? Politically, it took a brave prime minister to face the rage of Australian gun interests. John Howard wore a bullet-proof vest when he announced the proposed gun restrictions in June 1996. The deputy prime minister was hung in effigy. But Australia did not have a domestic gun industry to oppose the new measures so the will of the people was allowed to emerge. And today, support for the safer, gun-restricted Australia is so strong that going back would not be tolerated by the public. That Australia hasn't had a mass shooting since 1996 is likely more than merely the result of the considerable reduction in guns -- it's certainly not the case that guns have disappeared altogether. I suspect that the country has also experienced a cultural shift between the shock of the Port Arthur massacre and the removal of guns from every day life as they are no longer available for self-defense and they are simply less present throughout the country. Troubled individuals, in other words, are not constantly being reminded that guns are a means to address their alleged grievances to the extent that they were in the past, or continue to be in the US.

#### **Outweighs:**

#### 1. Timeframe—it’s been 19 years since the Australia ban—that means it provides the best insight since short-term trends are more likely to be confounded by other factors

#### 2. Indicates a cultural shift which outweighs your warrants since it’s a magnifier for impacts over time

#### 3. Holistic—analyzing a whole society is better than isolated studies since it’s better for learning about broader trends and various nuances

#### 4. Proves bans can be implemented effectively which takes out any indicts of bans themselves

#### **c. Protection arguments are empirically denied—more guns = more death**

Grimes ’13 (David Robert Grimes, physicist and cancer researcher at Oxford University, “Guns don’t offer protection – whatever the National Rifle Association says,” The Guardian, 3/25, http://www.theguardian.com/science/blog/2013/mar/25/guns-protection-national-rifle- association) OS

The assertion that guns offer protection is a mantra the NRA has repeated often. In the wake of the Sandy Hook school shooting, LaPierre opined: “The only thing that stops a bad guy with a gun is a good guy with a gun”, insisting that schools should have armed guards. Academics such as John Lott and Gary Kleck have long claimed that more firearms reduce crime. But is this really the case? Stripped of machismo bluster, this is at heart a testable claim that merely requires sturdy epidemiological analysis. And this was precisely what Prof Charles Branas and his colleagues at the University of Pennsylvania examined in their 2009 paper investigating the link between gun possession and gun assault. They compared 677 cases in which people were injured in a shooting incident with 684 people living in the same area that had not suffered a gun injury. The researchers matched these “controls” for age, race and gender. They found that those with firearms were about 4.5 times more likely to be shot than those who did not carry, utterly belying this oft repeated mantra. The reasons for this, the authors suggest, are manifold. “A gun may falsely empower its possessor to overreact, instigating and losing otherwise tractable conflicts with similarly armed persons. Along the same lines, individuals who are in possession of a gun may increase their risk of gun assault by entering dangerous environments that they would have normally avoided. Alternatively, an individual may bring a gun to an otherwise gun-free conflict only to have that gun wrested away and turned on them.” This result is not particularly unexpected. Prof David Hemenway of Harvard school of public health has published numerous academic investigations in this area and found that such claims are rooted far more in myth than fact. While defensive gun use may occasionally occur successfully, it is rare and very much the exception – it doesn’t change the fact that actually owning and using a firearm hugely increases the risk of being shot. This is a finding supported by numerous other studies in health policy, including several articles in the New England Journal of Medicine. Arguments to the contrary are not rooted in reality; the Branas study also found that for individuals who had time to resist and counter in a gun assault, the odds of actually being shot actually increased to 5.45 fold relative to an individual not carrying. The problem goes deeper than this, however. There’s good evidence that the very act of being in possession of a weapon has an unfortunate effect of making us suspect others have one too. This was shown in a 2012 paper by psychologists Prof Jessica Witt and Dr James Brockmole, where subjects were given either a replica gun or a neutral object and asked to identify the objects other people were holding. Subjects in possession of a replica firearm were much more likely to identify a neutral object as a firearm. The erroneous assumption that someone else is armed can and does often end in tragedy.

#### Outweighs:

#### 1. Specificity—studies self-defense arguments in particular—your general data about guns solving violence are more likely to be attributable to alt causes

#### 2. Cites logical warrants which they must line by line else you assume their empirical data is flawed

### Short

#### Bans are effective—

#### a. Highest quality data flows aff—handguns are specifically key

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#### a. Highest quality data flows aff—handguns are specifically key

Dixon ’11 (Nicholas Dixon, associate professor of philosophy, Alma College, “Handguns, Philosophers, and the Right to Self-Defense,” *International Journal of Applied Philosophy*, Vol. 25 No. 2, 2011)

Before turning to nonconsequentialist defenses of handguns based on the right to self-defense, a brief sketch of my original utilitarian argument for prohibition is in order. Its starting point is a striking set of international data. The United States far outstrips five other developed countries (Australia, Canada, Israel, Sweden, and the United Kingdom) in both handgun ownership and handgun homicide rates per 100,000 people. The United States' handgun homicide rate is over twenty times greater than that in these other countries, and its handgun ownership rate is over nine times as high. 4 My reason for singling out handguns for prohibition in the United States is that they are, in this country, the firearm of choice of criminals, being used in at least 72.2 percent of firearms homicides in the years 2006—2010.5 Substantially reducing the number of handguns in the U.S. will very likely substantially reduce the rate of total homicide. This prediction is based not only on the noted statistics, but also on the following considerations, which constitute a rudimentary causal theory. First, a large proportion of these crimes is currently committed with handguns. Since 1970, approximately one-half of the homicides in the U.S. have been committed with handguns. In 2006-2010, an average of 6,909 homicides (48.7 percent of all homicides) was committed per year With handguns.6 Second, because of their cheapness, concealability, ease of use, and lethality, handguns are ideally suited to the commission of crimes and criminals are highly unlikely to be able to commit as many violent crimes by switching to alternative weapons. Third, other weapons that assailants might substitute for firearms are far less lethal than handguns, and in the case of firearms other than handguns, although the wounds that they inflict are more serious, their lower concealability makes it harder to inflict wounds in the first place.' Since the appearance of my first articles, social scientists have performed far more sophisticated statistical analyses of much more comprehensive comparative data, and they provide strong support for my causal hypothesis that prohibition would reduce homicide in the U S. In three separate studies of fourteen, eighteen, and twenty-one countries, Martin Killias has found that the prevalence of firearms is strongly correlated with the firearms homicide rate. The first study indicated a correlation of .746 (where 1 is a perfect correlation), with a probability of less than 0.01 that this would happen by chance, the second produced a correlation of .476—.610 (p<0.031) and the third indicated a correlation of .54 (p<0.05) when the countries with extreme scores are excluded.10 More important, both Killias's and other studies have shown a correlation between gun ownership and total (gun plus non-gun) homicide rates. Most notably, in a 2000 study of twenty-six high-income countries, David Hemenway and Matthew Miller found a correlation of .69 (p<0.00). This study is of special interest because it investigated twenty-six of the twenty-seven countries with a population of over one million defined by the World Bank as high income or highly industrialized. Focusing on a more homogenous group of countries helps to narrow attention to the variable in question—firearms—and minimizes the confounding effect of other causes of homicide. Hemenway and Miller's study found that the overall homicide rate in the U.S. was 5.98 times higher than in the other twenty-five countries, thus obvi- ating the objection that the total homicide rate in these other countries could be just as high as in the U.S., due 'to non-handgun homicides. Finally, in a study of twelve countries using some of Killias's data, Gregg Lee Carter concludes that total homicide is correlated with gun ownership at a rate of .67 and with handgun ownership at a rate of .84." In its review of the literature on the connection between firearms and violence, the National Academy of Science concludes that "in comparisons among countries, there is a substantial association between gun ownership and homicide." 14 To complete the argument that these correlations indicate that handguns cause murder, we need to rule out alternative explanations of the data. First, causation may operate in reverse, in that handgun ownership may be a response to high homicide rates, not a cause, because some people buy firearms to protect them- selves against crime. Second, both handgun ownership and homicide rates may be a function of a third factor, while not affecting each other. In this vein, some proponents of gun rights argue that the United States' very high handgun owner- ship and overall homicide rates are both caused by some third factor unrelated to guns. The second hypothesis is hard to reconcile with the data. Any causes that lead Americans to buy more guns and commit more homicides than inhabitants of other affluent societies—for example, a greater propensity to violence—should equally affect homicide in general and not just homicides committed with firearms. What we find, in contrast, is a far greater disparity between the United States and Western European countries in firearms homicide than in non-gun homicide. The American firearm homicide rate is 4.96 times higher than the average rate in eighteen Western European countries, but its non-gun homicide rate is only 1.96 times higher than the European rate.15 While this data lends some support for the existence of a greater propensity to violence in the United States independent of firearms, the only plausible explanation of the far greater disparity in firearms homicide is that the prevalence of guns is itself a significant causal factor.

#### b. Reduces homicides—also decreases the black market and disproves self-protection args

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

But this does not resolve the issue, for it does not establish what gun control advocates claim it shows, namely, that gun control is an effective way of substantially lessening the murder rate. First, a statistical correlation shows that two things are linked, but it does not tell us if the first caused the second, the second caused the first, or if there is some third factor which caused both. Second, even if the items are causally related, we do not know that changing the cause will automatically and straightforwardly change the effect since another factor might intervene to sustain the effect. Gun advocates proffer their own armchair explanation for the correlations: These correlations reflect the character of the respective social and political systems. The European countries where murder rates are lower have more social solidarity and are more heterogeneous than the United States. Whether these social factors explain all the correlation is debatable, but I am confident they explain some of it. Were the United States to regulate guns as tightly as most European countries, our murder rates would arguably fall, but they would not immediately plummet to their levels. We might settle the issue if we conducted controlled experiments, randomly dividing our population in half, giving half of them guns, removing all the guns from the other half, and then monitoring the murder rate. Of course, that would be morally unacceptable, politically unrealistic, and probably even scientifically unachievable. Before we had enough time to exclude all possible intervening causes, sufficient time might have elapsed so that new intervening causes could have emerged. But we are not in the dark. We have empirical evidence that helps adjudicate between competing explanations of the correlation. First, we have empirical evidence, bolstered by armchair arguments, that guns are more lethal than other weapons. Some claim the ratio is 5:1; no estimates are lower than 2:1 (Reiss, A. J., Jr. and Roth, J. A. 1993: 260). This partly explains the strong correlation between guns and homicides. If people get angry the same number of times, those using the most lethal weapons are more likely to kill their victims. Second, the nature of secondary gun markets helps explain how the widespread availability of guns increases crime in general, and homicides in specific. Various opponents of gun control claim that "If we outlaw guns, only outlaws will have guns." Armchair arguments suggest why this is a silly claim. Where, one might ask, do criminals get their guns? They often steal them or buy them from those who purchased them legally. Even guns obtained from other criminals are usually traceable to people who purchased them legally. Empirical evidence supports this armchair supposition. Most criminals report having stolen their guns, received them from a friend or family member, or purchased them from someone who had stolen it. At least half a million guns are stolen each year (Cook, P. J. et al. 1995: 81), and these swell the numbers of guns available illegally. Not only does the primary (legal) market effect the availability of guns on secondary markets, it also affects the price of guns on those markets, much "like the analogous markets for motor vehicles or prescription drugs" (Cook, P. J. et al. 1995: 71). As we restrict availability of guns in the primary market, the supply of guns in the secondary markets decreases and their cost increases (Cook, P. J. et al. 1995: 73). This increase in cost will diminish teenagers' ability to obtain guns, since they are least able to afford hefty prices. Since teenagers commit most deadly crimes, decreasing the availability of legal guns will thereby decrease the number of homicides. Conversely, having huge numbers of legally available guns increases the number of guns on secondary markets and typically lowers their price. This makes it easier for prospective criminals, including teenagers, to obtain guns. Third, having a gun around the house (or on the person) - even for self-protection - apparently increases the chance that someone in the family will kill themselves with the gun, or will be the victim of a homicide or an accident. One study found that "for every time a gun in the home was involved in a self-protection homicide, they noted 1.3 unintentional deaths, 4.5 criminal homicides, and 37 firearm suicides" (Reiss, A. J., Jr. and Roth, J. A. 1993: 267). This implies that for every case where someone in a gun-owning household kills an intruder to thwart a life-threatening attack, nearly 43 people in similar households will die from a gunshot. Taken together the evidence does not prove that widespread availability of guns increases the number of homicides. However, that empirical evidence, bolstered by earlier armchair arguments, makes the claim highly plausible.

#### c. Causes a long term *cultural shift* that guarantees solvency

LaFollette 2k (Hugh, USF St. Petersburg Philosophy Professor, “Gun Control,” Ethics 110 (January 2000): pp. 263–281) PO

Gun advocates disagree: they claim that cultural factors explain the correlation. Although I think they are partly correct, they draw the wrong inference. For one crucial difference between European and American cultures is the widespread presence of guns. Each culture is the way it is, at least in part, because of the role guns (or their absence) played in its creation and maintenance. Therefore, curtailing the private possession of guns might well change the American culture so that it would be less violent. Consequently, it is not only that fewer guns would directly cause some decline in violent crimes - which it should. It is also likely to reshape[s] the cultural values which, along with ready availability of deadly weapons, lead to such an extraordinarily high murder rate in America. On the other hand, the statistical evidence that guns prevent or thwart crimes is suggestive and cannot be ignored, despite its identified weaknesses. In summary, the overall statistical evidence tilts in favor of gun control advocates, although the evidence is disputable. But we should not expect nor do we need indisputable evidence. We can act on the best evidence we have, while being open to new evidence. If widespread availability of guns were responsible for even one-fourth of the increase in the number of murders, that would be a significant harm the state should prevent if it could do so in a relatively unintrusive and morally acceptable way. There is little doubt that we can do that, at least to some degree. If nothing else we could control some types of guns and ammunition. To take one obvious example, teflon-coated bullets are designed to pierce protective vests. People do not use these bullets to pierce the vests on a deer or a squirrel, on a target or a skeet. They use them to pierce the vests on people, usually law enforcement officers. This ammunition has no purpose except to cause harm. Hence, we are justified in abolishing teflon bullets and in establishing severe criminal penalties for those possessing them. This would not save large numbers of lives. But, assuming this ban's enforcement is not impractical, then, if it saved even a few lives, that would be a compelling reason to outlaw such bullets. On the other hand, some guns have a much wider use, even if they are occasionally used for ill. People have seemingly legitimate uses for shotguns and single-shot rifles. Consequently, barring strong evidence to the contrary, we should not abolish them. We should, however, study their contributory role in causing harm, and explore ways we might lessen this harm in a relative unintrusive way. The central debate concerns handguns. The evidence we have shows that handguns are disproportionately used in homicides and in robberies. Although "there are approximately three times as many long guns as handguns in the US, more than 80 of gun homicides and 90 of gun robberies involve handguns (Hemenway, D. 1995: 60). The experience in Canada suggests that criminals will not switch to long guns if handguns are unavailable. Given the special role handguns play in causing harm, we have compelling reasons to extensively control, or perhaps even abolish, handguns.

## Framework

### Structural Violence

#### The standard is minimizing structural violence.

#### 1] Structural violence causes oppression against particular groups to be invisible. Revealing it forces us to reevaluate our perceptions. This means minimizing structural violence precludes all ethical evaluation.

Winter and Leighton ‘07 (Deborah Du Nann Winter and Dana C. Leighton, professors of psychology, STRUCTURAL VIOLENCE, Peace, Conflict, and Violence: Peace Psychology for the 21st Century, Ohio State University, 2007 (http://academic.marion.ohio-state.edu/dchristie/Peace%20Psychology%20Book\_files/Section%20II%20-%20Structural%20Violence%20(Winter%20%26%20Leighton).pdf) PO \*\*brackets for anthro

Direct violence is horrific, but its brutality usually gets our attention: we notice it, and often respond to it. **Structural** violence, however, isalmost always **invisible,** embedded in ubiquitous social structures, normalized by stable institutions and regular experience. Structural violence occurs whenever people are disadvantaged by political, legal, economic, or cultural traditions. Because they are longstanding, **structural inequities** usually **seem ordinary—**the way things are and always have been. But structural violence produces suffering and death as often as direct violence does, though the damage is slower, more subtle, more common, and more difficult to repair. The chapters in this section teach us about some important but invisible forms of structural violence, and alert us to the powerful cultural mechanisms that create and maintain them over generations. Johan Galtung originally framed the term “structural violence” to mean any constraint on human potential caused by economic and political structures (1969). Unequal access to resources, to political power, to education, to health care, or to legal standing, are forms of structural violence. When inner-city children have inadequate schools while others do not, when gays and lesbians are fired for their sexual orientation, when laborers toil in inhumane conditions, when people of color endure environmental toxins in their neighborhoods, structural violence exists. Unfortunately, even those who are victims of structural violence often do not see the systematic ways in which their plight is choreographed by unequal and unfair distribution of society’s resources. Such is the insidiousness of structural violence. Structural violence is problematic in and of itself, but it is also dangerous because it frequently leads to direct violence. The chronically oppressed are often, for logical reasons, those who resort to direct violence. Organized armed conflict in various parts of the world is easily traced to structured inequalities. Northern Ireland, for example, has been marked by economic disparities between Northern Irish Catholics—who have higher unemployment rates and less formal education—and Protestants (Cairns & Darby, 1998). In Sri Lanka, youth unemployment and underemployment exacerbates ethnic conflict (Rogers, Spencer, & Uyangoda, 1998). In Rwanda, huge disparities in both income and social status between the Hutu and Tutsis eventually led to ethnic massacres. While structural violence often leads to direct violence, the reverse is also true, as brutality terrorizes bystanders, who then become unwilling or unable to confront social injustice. Increasingly, civilians pay enormous costs of war, not only through death, but through devastation of neighborhoods and ecosystems. Ruling elites rarely suffer from armed conflict as much as civilian populations do, who endure decades of poverty and disease in war-torn societies. Recognizing the operation of structural violence forces us to ask questions about how and why we tolerate it, questions that often have painful answers. The first chapter in this section, “Social Injustice,” by Susan Opotow, argues that our normal perceptual/cognitive processes lead us to care about [those] people inside our scope of justice, but rarely care about those people outside. Injustice that would be instantaneously confronted if it occurred to someone we love or know is barely noticed if it occurs to strangers or those who are invisible or irrelevant to us. We do not seem to be able to open our minds and our hearts to everyone; moral exclusion is a product of our normal cognitive processes. But Opotow argues convincingly that we can reduce its nefarious effects by becoming aware of our distorted perceptions. Inclusionary thinking can be fostered by relationships, communication, and appreciation of diversity.

#### 2] Any truth claim is epistemically suspect—there is always a higher order obligation in rejecting oppression so excluded voices can be incorporated into our epistemologies.

Clifford and Burke ‘08 [Derek and Beverley, Anti-Oppressive Ethics and Values in Social Work, Basingstoke, Palgrave Macmillan, 2008, http://www.palgrave.com/PDFs/1403905568.pdf] PO

Our view ofthe nature of ethics admits the possibility of giving reasons, drawingon both knowledge about the social world, and on the feelings that are common (and uncommon) to human experience, but without assuming that rationality, empirical evidence or human feelings can either by themselves or even together provide an absolute basis for ethics. Too much is known about the variability of human values and the limitations of human rationality to make such an assumption complacently. There are many inequalities of wealth, status and power, both reflecting and leading to cultural and structural social divisions. The social context of the professional working with vulnerable individuals and groups demands recognition of the need to act in a way that minimizes or overcomes some of the complex effects of discrimination and oppression, rather than adding to them through collusion, neglect or lack of self-awareness. Even worse, obviously, would be intentionally adding to existing oppression and exploitation. What matters is the possibility of dialogue between individuals and groups – the attempt to act in an anti-oppressive way is itself an endless search for ethical values in which we continually negotiate with and learn from each other – and especially from the ‘other’, in the sense of one who is socially and culturally different.

#### 3] Evaluating abstract philosophies before issues of oppression is nonsensical – it’s just a way to avoid confronting oppression

Matsuda ‘89 [Mari, Associate Professor of Law @ the University of Hawaii, “When the First Quail Calls: Multiple Consciousness as Jurisprudential Method”, 11 Women's Rts. L. Rep. 7 1989] PO

The multiple consciousness I urge lawyers to attain is not a random ability to see all points of view, but a deliberate choice to see the world from the standpoint of the oppressed. That world is accessible to all of us. We should know it in its concrete particulars. We should know of our sister carrying buckets of water up five flights of stairs in a welfare hotel, our sister trembling at 3 a.m. in a shelter for battered women, our sisters holding bloodied children in their arms in Cape Town, on the West Bank, and in Nicaragua. The jurisprudence of outsiders teaches that these details and the emotions they evoke are relevant and important as we set out on the road to justice. These details are accessible to all of us, of all genders and colors. We can choose to know the lives of others by reading, studying, listening, and venturing into different places. For lawyers, our pro bono work may be the most effective means of acquiring a broader consciousness of oppression. Abstraction and detachment are ways out of the discomfort of direct confrontation with the ugliness of oppression. Abstraction, criticized by both feminists and scholars of color, is the, method that allows theorists to discuss liberty, property, and rights in the aspirational mode of liberalism with no connection to what those concepts mean in real people's lives. Much in our mainstream intellectual training values abstraction and denigrates nitty-gritty detail. Holding on to a multiple consciousness will allow us to operate both within the abstractions of standard jurisprudential discourse, and within the details of our own special knowledge. Whisperings at Yale and elsewhere about how deconstructionist heroes were closet fascists remind me of how important it is to stay close to oppressed communities. High talk about language, meaning, sign, process, and law can mask racist and sexist ugliness if we never stop to ask: "Exactly what are you talking about and what is the implication of what you are saying for my sis- ter who is carrying buckets of water up five flights of stairs in a welfare hotel? What do you propose to do for her today, not in some abstract future you are creating in your mind?" If you have been made to feel, as I have, that such inquiry is theoretically unsophisticated, and quaintly naive, resist! Read what Professor Williams, Professor Scales-Trent, and other feminists and people of color are writing.' The reality and detail of oppression are a starting point for these writers as they enter into mainstream debates about law and theory.

#### 4] Debate should deal with real-world consequences—ideal theories ignore the concrete nature of the world and legitimize oppression

Curry ’14, (Dr. Tommy J. Curry, “The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century”, Victory Briefs, 2014, FT)

**Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue**, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” At the most general level, the conceptual chasm between what emerges as actual problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems theoretically—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is actual (in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,” so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to only do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

### --- Extra

#### [ ] Abstract theories of justice that strive towards an ideal ignore systems of oppression - instead we should adopt non-ideal theories that recognize current injustice. --- That requires positive obligations

Mills 09: , C. W. (2009), Rawls on Race/Race in Rawls. The Southern Journal of Philosophy, 47: 161–184

Now how can this ideal—a society not merely without a past history of racism but without races themselves—serve to adjudicate the merits of competing policies aimed at correcting for a long history of white supremacy manifest in Native American expropriation, African slavery, residential and educational segregation, large differentials in income and huge differentials in wealth, nonwhite underrepresentation in high-prestige occupations and overrepresentation in the prison system, contested national narratives and cultural representations, widespread white evasion and bad faith on issues of their racial privilege, and a corresponding hostile white backlash against (what remains of) those mild corrective measures already implemented? Obviously, it cannot. As Thomas Nagel concedes: “Ideal theory enables you to say when a society is unjust, because it falls short of the ideal. But it does not tell you what to do if, as is almost always the case, you find yourself in an unjust society, and want to correct that injustice” (2003a, 82). Ideal theory represents an unattainable target that would require us to roll back the clock and start over. So in a sense it is an ideal with little or no practical worth. What is required is the nonideal (rectificatory) ideal that starts from the reality of these injustices and then seeks some fair means of correcting for them, recognizing that in most cases the original prediscrimination situation (even if it can be intelligibly characterized and stipulated) cannot be restored. Trying to rectify systemic black disadvantage through affirmative action is not the equivalent of not discriminating against blacks, especially when there are no blacks to be discriminated against. Far from being indispensable to the elaboration of nonideal theory, ideal theory would have been revealed to be largely useless for it. But the situation is worse than that. As the example just given illustrates, it is not merely a matter of an ideal with problems of operationalization and relevance, but of an ideal likely to lend itself more readily to retrograde political agendas. If the ideal ideal rather than the rectificatory ideal is to guide us, then a world without races and any kind of distinctiondrawing by race may seem to be an attractive goal. One takes the ideal to be colorblind nondiscrimination, as appropriate for a society beginning from the state of nature, and then—completely ignoring the nonideal history that has given whites a systemic illicit advantage over people of color—conflates together as “discrimination” all attempts to draw racial distinctions for public policy goals, no matter what their motivation, on the grounds that this perpetuates race and invidious differential treatment by race. In the magisterial judgment of Chief Justice John Roberts in the June 2007 Supreme Court decision on the Seattle and Louisville cases where schools were using race as a factor to maintain diversity, “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race,”6 a statement achieving the remarkable feat of depicting not merely as true, but as tautologically true, the equating of Jim Crow segregation and the attempt to remedy Jim Crow tion! What is ideally called for under ideal circumstances is not, or at least is not necessarily, what is ideally called for under nonideal circumstances. Claiming that all we need to do is to cease (what is here characterized as) discrimination ignores the differential advantages and privileges that have accumulated in the white population because of the past history of discrimination. So the defense in terms of ideal theory is doubly problematic. In the first place, ideal theory was never supposed to be an end in itself, but a means to improving our handling of nonideal matters, and the fact that Rawls and his disciples and commentators have for the most part stayed in the realm of the ideal represents an evasion of the imperative of dealing with what were supposed to be the really pressing issues. And in the second place, it is questionable in any case how useful the ideal ideal in the Rawlsian sense is or ever would have been in assisting this task. So it is not merely that ideal theory has not come to the aid of those dealing with nonideal injustice but that it was unlikely to have been of much help when and if it ever did arrive.

### --- AT: K Debaters

#### The standard is minimizing structural barriers, defined as alleviating the material conditions that commit structural violence on marginalized groups.

#### 1] Structural violence is based in moral exclusion, which is fundamentally flawed because exclusion is not based on dessert but rather on arbitrarily perceived differences.

Winter and Leighton 99 |Deborah DuNann Winter and Dana C. Leighton. Winter|[Psychologist that specializes in Social Psych, Counseling Psych, Historical and Contemporary Issues, Peace Psychology. Leighton: PhD graduate student in the Psychology Department at the University of Arkansas. Knowledgable in the fields of social psychology, peace psychology, and justice and intergroup responses to transgressions of justice] “Peace, conflict, and violence: Peace psychology in the 21st century.”

Finally, to recognize the operation of structural violence forces us to ask questions about how and why we tolerate it, questions which often have painful answers for the privileged elite who unconsciously support it. A final question of this section is how and why we allow ourselves to be so oblivious to structural violence. Susan Opotow offers an intriguing set of answers, in her article Social Injustice. She argues that our normal perceptual cognitive processes divide people into in-groups and out-groups. Those outside our group lie outside our scope of justice. Injustice that would be instantaneously confronted if it occurred to someone we love or know is barely noticed if it occurs to strangers or those who are invisible or irrelevant. We do not seem to be able to open our minds and our hearts to everyone, so we draw conceptual lines between those who are in and out of our moral circle. Those who fall outside are morally excluded, and become either invisible, or demeaned in some way so that we do not have to acknowledge the injustice they suffer. Moral exclusion is a human failing, but Opotow argues convincingly that it is an outcome of everyday social cognition. To reduce its nefarious effects, we must be vigilant in noticing and listening to oppressed, invisible, outsiders. Inclusionary thinking can be fostered by relationships, communication, and appreciation of diversity. Like Opotow, all the authors in this section point out that structural violence is not inevitable if we become aware of its operation, and build systematic ways to mitigate its effects. Learning about structural violence may be discouraging, overwhelming, or maddening, but these papers encourage us to step beyond guilt and anger, and begin to think about how to reduce structural violence. All the authors in this section note that the same structures (such as global communication and normal social cognition) which feed structural violence, can also be used to empower citizens to reduce it. In the long run, reducing structural violence by reclaiming neighborhoods, demanding social justice and living wages, providing prenatal care, alleviating sexism, and celebrating local cultures, will be our most surefooted path to building lasting peace.

#### 2] Debate should deal with real-world consequences—ideal theories ignore the concrete nature of the world and legitimize oppression.

Curry ’14 (Dr. Tommy J. Curry, “The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century”, Victory Briefs, 2014, FT)

**Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue**, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” At the most general level, the conceptual chasm between what emerges as actual problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems theoretically—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is actual (in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,” so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to only do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

#### 3] This is key to breaking down the culture of silence.

Pena 09 (Jocelyn Pena, [Attended University of Phoenix and New York University; Senior Manager and Special Assistant at Puerto Rican Legal Defense and Education Fund PRLDEF], “Five Faces of Oppression (adapted from “Five Faces of Oppression” by Iris Young),” Originally a chapter in Oppression, Privilege, and Resistance edited by Lisa Heldke and Peg O’Connor, Published by McGraw Hill in Boston, 2004, Assignment for Mr. Devin’s class on Leadership at San Jose, June 15, 2009. FT)

Marginalization is the act of relegating or confining [confines] a group of people to a lower social standing or outer limit or edge of society. Overall, it is a process of exclusion. Marginalization is in some ways worse than exploitation because society has decided that it cannot or will not use these people even for labor. Most commonly, people are marginalized based upon race. One prominent example is the Aboriginal communities of Australia that were excluded from society and pushed farther and farther away from their homelands as cities grew. The marginalization of Aborigines happened when society met the needs of white people and not the needs of the marginalized themselves. Thus, marginalization is closely linked to the idea of whiteness. In the U.S., most marginalized groups are racially marked. Yet, this racial exclusion also occurs in countries outside the U.S.—Blacks or Indians in Latin America, and Blacks, East Indians, and Eastern Europeans, or North Africans in Europe. Yet, marginalization is by no means the fate only of racially marked people. In the [U.S] United States a shamefully large proportion of the population is marginal: elderly people who are fired from their jobs; young Blacks or Latinos who cannot find their first or second jobs; many single mothers and their children; other people involuntarily unemployed; many mentally and physically disabled people; and American Native Indians, especially those on reservations. Marginalization expels a whole category[s] of people from useful participation in social life. As a result, these groups are subjected to severe material deprivation (they don’t have access to basic resources) and even extermination (such as genocide). The idea of powerlessness links to Marx’s theory of socialism: some people “have” power while others “have-not”. The powerless are dominated by the ruling class and are situated to take orders and rarely have the right to give them. Some of the fundamental injustices associated with powerlessness are inhibition to develop one’s capacities, lack of decision making power, and exposure to disrespectful treatment because of the lowered status. In the U.S., the powerless do not participate in basic democratic processes because they feel that they can’t or that [it] their participation won’t mean anything. In most cases, it means not voting or participating in any decision making process. However, the deeper forms of powerlessness are far more insidious. Brazilian educational philosopher Paulo Freire believes that powerlessness is the strongest form of oppression because it allows people to oppress themselves and others. It is easiest to explain by making a connection to Harriet Tubman, a famous freed African American runaway slave and abolitionist. Tubman once wrote “I would have free thousands more, if they had known they were slaves.” In these words, Tubman conveys that some slaves felt so 3 powerless, thought so little of themselves, and were so indoctrinated by the mindsets of their slave masters that they didn’t realize that they were slaves. In fact, its quite possible some slaves didn’t even realize that something was wrong with society and that they were being treated unjustly. This is an example of powerlessness that creates what Freire calls a Culture of Silence. According to Freire, oppressed people become so powerless that they do not even talk about their oppression. If they reach this stage of oppression, it creates a culture wherein it is forbidden to even mention the injustices that are being committed. The oppressed are silenced. They have no voice and no will. Of course, there are still varying levels of silence. A surface level of silence is when the oppressed know they are being oppressed but cannot talk about it or voice their suffering or concerns. African American slavery in the U.S. provides a prime example. Slaves were forbidden to talk to one another about their horrid situations and many lacked the words to communicate their thoughts and feelings. Yet, slaves were extremely resourceful and would find hidden ways to voice themselves. A deeper level of silencing occurs through indoctrination. At this stage, the oppressed actually believe that they are “naturally inferior” to the ruling class. They are taught by oppressors that their inferiority is normal and a fact of life. They do not know that they have a voice. In addition, education and literacy are [may be] withheld so as to prevent them from gaining knowledge about themselves and stop them from finding means to communicate their thoughts and feelings. According to Freire, one of the main means of indoctrinating the oppressed is to give them negative images of themselves. The oppressed are dehumanized and taught to believe the negative perceptions as fact. The most dangerous part of this process of indoctrination is when these negative images are internalized and become a part of the oppressed person’s own beliefs. At this point, the oppressed aren’t silent because they are forced to be; they are silent because they choose to be. The only way to fight against powerlessness and the Culture of Silence is to gain a greater consciousness. Oppressed people throughout history have gained a greater understanding and consciouness of themselves and others through education, literacy, and self-reflection. It is through the act of using their voice and gaining a critical perspective of their oppressors that the oppressed are able to free themselves of indoctrination and (eventually) free their bodies from oppression as well. Freire calls this process of gaining critical consciousness conscientization.

#### 4] Critical academia that doesn’t engage politics makes efficacy impossible – they re-inscribe the existing structure in a constant critique

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

### Mega

#### Empiricism is key to avoid regress

Richards ’86 (Robert, “A Defense of Evolutionary Ethics,” Biology and Philosophy) bracketed for offensive language

This brief discussion of justification of ethical principles indicates how the concept of justification must, I believe, be employed. "To justify" means "to demonstrate that a proposition or system of propositions conforms to a set of acceptable rules, a set of acceptable factual propositions, or a set of acceptable practices. The order of justification is from rules to empirical propositions about beliefs and practices. That is, if rules serving as inference principles or the rules serving as premises (e.g., the Golden Rule) of a justifying argument are themselves put to the test, then they must be shown to conform either to still more general rules or to empirical propositions about common beliefs and practices. Barring an infinite regress, this procedure must end in what are regarded as acceptable beliefs or practices. Aristotle, for instance, justified the forms of syllogistic reasoning by showing that they made explicit the patterns employed in argument by rational men. Kant justified the categorical imperative and the postulates of practical reason by demonstrating, to his satisfaction, that they were the necessary conditions of common moral experience: that is, he justified normative principles by showing that their application to particular cases reproduced the common moral conclusions of 18th century German burgers and Pietists. If this is an accurate rendering of the concept of justification, then the justification of first moral principles and inference rules must ultimately lead to an appeal to the beliefs and practices of [people], which of course is an empirical appeal. So moral principles ultimately can be justified only by facts.

#### Value is only accessible through experience

Harris ’10 (Sam, CEO Project Reason; PHD UCLA Neuroscience; BA Stanford Philosophy, “ The Moral Landscape: How Science Can Determine Human Values”) OS

Here is my (consequentialist) starting point: all questions of value (right and wrong, good and evil, etc.) depend upon the possibility of experiencing such value. Without potential consequences at the level of experience—happiness, suffering, joy, despair, etc.—all talk of value is empty. Therefore, to say that an act is morally necessary, or evil, or blameless, is to make (tacit) claims about its consequences in the lives of conscious creatures (whether actual or potential). I am unaware of any interesting exception to this rule. Needless to say, if one is worried about pleasing God or His angels, this assumes that such invisible entities are conscious (in some sense) and cognizant of human behavior. It also generally assumes and that it is possible to suffer their wrath or enjoy their approval, either in this world or the world to come. Even within religion, therefore, consequences and conscious states remain the foundation of all values.

#### Phenomenal introspection reliably informs us of pain’s badness and pleasure’s goodness as an empirical basis for ethics

Sinhababu ’13 (Neil, National University of Singapore, “The epistemic argument for hedonism,” 2013)

The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.28 While one's phenomenology is often called one's “subjective experience”, e facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ ontologically dependent on attitudes towards it.” My yellow-experiences are objectively bright, so that anyone who thought my yellow-experiences were not bright would be mistaken. Pleasure similarly is objectively good – it is true that anyone's pleasure is good, and anyone who denies this is mistaken. As Mendola writes, “In the phenomenal value of phenomenal experience, we have a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states**,** I can know that others' pleasure is good. Of course, I cannot phenomenally introspect their pleasures any more than I can phenomenally introspect pleasures that I will experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it is like when others have exactly the experience I am having, I must think that they are having good experiences. If they have exactly the same experiences I am having, their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it will have the same intrinsic properties. Even though the only pleasure I can introspect is mine now**,** I should believe that pleasures experienced by others and myself at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### There’s no act-omission distinction—

#### a. Every omission is an intentional decision to override other thought processes

Sartorio ’09 (Omissions and Causalism∗ - CAROLINA SARTORIO, University of Arizona [Volume 43, Issue 3](http://onlinelibrary.wiley.com.libproxy.usc.edu/doi/10.1111/nous.2009.43.issue-3/issuetoc), Article first published online: 3 AUG 2009)

Second, a causalist could claim that other things besides events can be causes and effects but causal talk involving events is still the most basic kind of causal talk. In particular, causal talk involving omissions and other absences can be true, but it is made true, ultimately, by causal talk involving events. This is Vermazen’s suggestion in his (1985), which Davidson explicitly embraces in his reply to Vermazen (Davidson 1985). How can a causalist do this? Roughly, Vermazen’s idea is the following. Imagine that I am tempted to eat some fattening morsels, but I refrain. Then my passing on the morsels is an intentional omission because the relevant mental states/events (proattitudes, intentions, etc.) cause my not eating the morsels, and this is, in turn, because, had those mental states been absent, then some other mental states/events (competing pro-attitudes, intentions, etc.) would have caused my eating the morsels. In other words, actual causal talk involving omissions is made true by counterfactual causal talk involving positive occurrences or events.

#### b. Government actions will inevitably lead to trade-offs since they benefit some and harm others; the only justifiable way to resolve these conflicts is by benefitting the maximum possible number of people since anything else would unequally prioritize one group over another. Actor-specificity comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied and link turns them because the alt would be *no* action.

#### Thus, the standard is maximizing pleasure and minimizing pain. Additionally:

#### Language cannot describe reality, which means a priori knowledge fails

Conard ’07 (Mark T, prof @ Marmount Manhattan, “Chaos, Order and Morality: Nietzsche’s Influence on Full Metal Jacket,” The Philosophy of Stanley Kubrick edited by Jerold J. Abrams)

Further, our conscious, rational thought is inseparable from language, and consequently, our understanding of the world is only possible through language. We use words to designate what we see and experience in the world. But, says Nietzsche: “A word becomes a concept insofar as it simulta- neously has to fit countless more or less similar cases—which means, purely and simply, cases which are never equal and thus altogether unequal. Every concept arises from the equation of unequal things. Just as it is certain that one leaf is never totally the same as another, so it is certain that the concept ‘leaf ’ is formed by arbitrarily discarding these individual differences and by forgetting the distinguishing aspects.”3 Our understanding and grasp of the world are achieved through language and concepts. But thought cannot grasp the difference and uniqueness of each individual thing. Rather, it ignores the myriad differences among things and groups them under abstract concepts. Does “leaf” designate or signify any one unique, individual thing? No, of course not; no word does. It covers or describes countless different things. That is how language functions, and again, our thinking is inseparable from language, such that our understanding of the world is based on this falsification of experience.

#### We have no unified consciousness

Parfit ’84 (Derek, *Reasons and Persons*) brackets for gender

Some recent medical cases provide striking evidence in favour of the Reductionist View. Human beings have a lower brain and two upper hemispheres, which are connected by a bundle of fibres. In treating a few people with severe epilepsy, surgeons have cut these fibres. The aim was to reduce the severity of epileptic fits, by confining their causes to a single hemisphere. This aim was achieved. But the operations had another unintended consequence. The effect, in the words of one surgeon, was the creation of ‘two separate spheres of consciousness.’ This effect was revealed by various psychological tests. These made use of two facts. We control our right arms with our left hemispheres, and vice versa. And what is in the right halves of our visual fields we see with our left hemispheres, and vice versa. When someone’s hemispheres have been disconnected, psychologists can thus present to this person two different written questions in the two halves of [their] visual field, and can receive two different answers written by this person’s two hands.

#### **Everything is an instantiation of the same substance**

Schaffer ’07 (Jonathan Schaffer, 2007. SEP. http://plato.stanford.edu/entries/monism/)

To my knowledge there is one main argument for existence **monism**, which is that it **provides the simplest** sufficient **ontology**. The idea is that we can give a complete account of the phenomena in which the world is the only concrete object mentioned, so that there is need to posit any further concreta. The argument may be formulated as follows: 1. The world is the only concrete object needed to explain how the world evolves. Somewhat more precisely, 1 claims that **the complete causal story of the world can be told in terms of the physical aspect of the world** (a path in physical configuration space), **together with whatever laws of nature govern temporal evolution**. No pieces of the world (such as tables or particles) need be mentioned in this story. To take a toy example, **consider** a Newtonian world containing what the folk would describe as **a rock shattering a window. The complete causal story here can be told purely in terms of the world's occupational manner vis-à-vis Newtonian configuration space**.[[16](http://plato.stanford.edu/entries/monism/notes.html#16)] **The rock and the window need not be mentioned.** **The world bears all the causal information.** The argument then adds that recognizing proper parts of the world is recognizing what is either explanatorily redundant or epiphenomenal: 2. **If the world is the only concrete object needed to explain how the world evolves, then if there were proper parts of the world, these proper parts would be explanatorily redundant** or epiphenomenal entities. If the world suffices to explain everything, then there is nothing left for its proper parts to explain. Its proper parts can at best explain what the world already suffices for. So if the proper parts explain anything at all they are redundant, while if they explain nothing at all they are epiphenomenal. The argument continues with a rejection of both explanatorily redundant and epiphenomenal entities: 3. There are no explanatorily redundant or epiphenomenal entities. Such a rejection is best defended on methodological grounds. **Occam's Razor cuts against** both **explanatorily** **redundant** and epiphenomenal **entities, as there can be no need for positing [them]** either.[[17](http://plato.stanford.edu/entries/monism/notes.html#17)] From which the argument concludes: 4. **[Thus] The world has no proper parts**. The conclusion may seem shocking, but the argument is valid, and the premises seem plausible.[[19](http://plato.stanford.edu/entries/monism/notes.html#19)]

#### We don’t have control over our long term beliefs—no responsibility for our intentions

Alston ’89 (William P. Alston. “The Deontological Conception of Epistemic Justification.” Epistemic Justification: Essays in the Theory of Knowledge, 1989. <http://www.ditext.com/alston/deontological.html>) CRLS PO

Let's turn now to a critical examination of the basic control thesis, the thesis that one can take up at will whatever prepositional attitude one chooses. Those who have attacked this view are divided between those who hold that believing at will is logically impossible and those who hold that it is only psychologically impossible, a capacity that we in fact lack though one we conceivably could have had.16 I cannot see any sufficient reasons for the stronger claim, and so I shall merely contend that we are not so constituted as to be able to take up propositional attitudes at will. My argument for this, if it can be called that, simply consists in asking you to consider whether you have any such powers. Can you, at this moment, start to believe that the United States is still a colony of Great Britain, just by deciding to do so? If you find it too incredible that you should be sufficiently motivated to try to believe this, suppose that someone offers you $500,000,000 to believe it, and you are much more interested in the money than in believing the truth. Could you do what it takes to get that reward? Remember that we are speaking about believing at will. No doubt, there are things you could do that would increase the probability of your coming to believe this, but that will be discussed later. Can you switch propositional attitudes toward that proposition just by deciding to do so? It seems clear to me that I have no such power. Volitions, decisions, or choosings don't hook up with anything in the way of propositional attitude inauguration, just as they don't hook up with the secretion of gastric juices or cell metabolism. There could conceivably be individual differences in this regard. Some people can move their ears at will, while most of us cannot. However, I very much doubt that any human beings are endowed with the power of taking on propositional attitudes at will. The temptation to suppose otherwise may stem from conflating that power with others that we undoubtedly do have but that are clearly distinct. If I were to set out to bring myself into a state of belief that p, just by an act of will, I might assert that p with an expression of conviction, or dwell favorably on the idea that p, or imagine a sentence expressing p emblazoned in the heavens with an angelic chorus in the background intoning the Kyrie of Mozart's Coronation Mass. All this I can do at will, but none of this amounts to taking on a belief that p. It is all show, an elaborate pretence of believing. Having gone through all this, my doxastic attitudes will remain just as they were before; or if there is some change, it will be a result of these gyrations. We should not suppose that our inability to believe at will is restricted to propositions that are obviously false. The inability also extends, at least, to those that are obviously true. A few pages back we made the point that voluntary control attaches to contrary pairs, or to more complex arrays of alternatives. If the sphere of my effective voluntary control does not extend both to A and to not-A, then it attaches to neither. If I don't have the power to choose between A and not-A, then we are without sufficient reason to say that I did A at will, rather than just doing A, accompanied by a volition. It is even more obvious, if possible, that responsibility, obligation, and their kindred attach to doing A only if the agent has an effective choice between doing and not doing A. If I would still have done A whatever I willed, chose, or preferred, I can hardly be blamed for doing it. Thus, even if I willingly, or not unwillingly, form, for instance, perceptual beliefs in the way I do, it by no means follows that I form those beliefs at will, or that I have voluntary control over such belief formation, or that I can be held responsible or blameworthy for doing so. It would have to be true that I have effective voluntary control over whether I do or do not believe that the tree has leaves on it when I see a tree with leaves on it just before me in broad daylight with my eyesight working perfectly. And it is perfectly clear that in this situation I have no power at all to refrain from that belief. And so with everything else that seems perfectly obvious to us. We have just as little voluntary control over ordinary belief formed by introspection, memory, and simple uncontroversial inferences.

#### Cost-benefit analysis is feasible

Hardin ’90(Russell, NYU Prof, May 1990. Morality within the Limits of Reason. University Of Chicago Press. pp. 4)

One of the cuter charges against utilitarianism is that it is irrational in the following sense. If I take the time to calculate the consequences of various courses of action before me, then I will ipso facto have chosen the course of action to take, namely, to sit and calculate, because while I am calculating the other courses of action will cease to be open to me. It should embarrass philosophers that they have ever taken this objection seriously. Parallel considerations in other realms are dismissed with eminently good sense. Lord Devlin notes, “If the reasonable man ‘worked to rule’ by perusing to the point of comprehension every form he was handed, the commercial and administrative life of the country would creep to a standstill.” James March and Herbert Simon escape the quandary of unending calculation by noting that often we satisfice, we do not maximize: we stop calculating and considering when we find a merely adequate choice of action. When, in principle, one cannot know what is the best choice, one can nevertheless be sure that sitting and calculating is not the best choice. But, one may ask, How do you know that another ten minutes of calculation would not have produced a better choice? And one can only answer, You do not. At some point the quarrel begins to sound adolescent. It is ironic that the point of the quarrel is almost never at issue in practice (as Devlin implies, we are almost all too reasonable in practice to bring the world to a standstill) but only in the principled discussions of academics.

#### Last is paradigmatic specifications for framework:

#### 1. Use ethical modesty—a) Substantively true since it maximizes the probability of achieving net most moral value—beating a framework acts as mitigation to their impacts but the strength of that mitigation is contingent. b) Aff strat—key to let the aff leverage aff offense against nonreciprocal NCs and frameworks that lean heavily neg—otherwise neg ballots are way too easy since they just have to win a tiny risk that their framework is better. c) Topic education—disincentives debaters from going all in for framework which means we get the ideal balance between topic ed and phi led—it’s important to talk about contention-level offense.

#### 2. Parameters—framework debate defines “ought”—that means it’s also a topicality issue so we have to theoretically defend our interpretation

Ulrich ’84 (Walter Alan, debate theorist, prof of Communication, “The nature of the topic in value debate,” 1984)

First, **unlike in policy debate, in value debate, the definition of terms is an integral** part of the stock issues of the resolution. **In value debate, there are two stock issues: the definitive issue and the designative issue. The definitive issue is essentially an issue of definition: what do we mean by good, desirable, beneficial, etc?** Like any other stock issue, this issue is best evaluated by determining which side has the superior arguments on the issue. **This would suggest that the best definition standard should be employed.** We do not resolve other issues by asking if one side has a "reasonable" position; we ask which side has the best support for their position. Why should this stock issue be treated differently from any other issue?

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#### a) Ground. Util includes all impacts and compares them based on objective weighing standards. Meta-ethics, Kantianism, and skepticism all function as necessary insufficient burdens, harming equal ground access.

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### Long No Theory

#### Empiricism is key to avoid regress

Richards ’86 (Robert, “A Defense of Evolutionary Ethics,” Biology and Philosophy) bracketed for offensive language

This brief discussion of justification of ethical principles indicates how the concept of justification must, I believe, be employed. "To justify" means "to demonstrate that a proposition or system of propositions conforms to a set of acceptable rules, a set of acceptable factual propositions, or a set of acceptable practices. The order of justification is from rules to empirical propositions about beliefs and practices. That is, if rules serving as inference principles or the rules serving as premises (e.g., the Golden Rule) of a justifying argument are themselves put to the test, then they must be shown to conform either to still more general rules or to empirical propositions about common beliefs and practices. Barring an infinite regress, this procedure must end in what are regarded as acceptable beliefs or practices. Aristotle, for instance, justified the forms of syllogistic reasoning by showing that they made explicit the patterns employed in argument by rational men. Kant justified the categorical imperative and the postulates of practical reason by demonstrating, to his satisfaction, that they were the necessary conditions of common moral experience: that is, he justified normative principles by showing that their application to particular cases reproduced the common moral conclusions of 18th century German burgers and Pietists. If this is an accurate rendering of the concept of justification, then the justification of first moral principles and inference rules must ultimately lead to an appeal to the beliefs and practices of [people], which of course is an empirical appeal. So moral principles ultimately can be justified only by facts.

#### Value is only accessible through experience

Harris ’10 (Sam, CEO Project Reason; PHD UCLA Neuroscience; BA Stanford Philosophy, “ The Moral Landscape: How Science Can Determine Human Values”) OS

Here is my (consequentialist) starting point: all questions of value (right and wrong, good and evil, etc.) depend upon the possibility of experiencing such value. Without potential consequences at the level of experience—happiness, suffering, joy, despair, etc.—all talk of value is empty. Therefore, to say that an act is morally necessary, or evil, or blameless, is to make (tacit) claims about its consequences in the lives of conscious creatures (whether actual or potential). I am unaware of any interesting exception to this rule. Needless to say, if one is worried about pleasing God or His angels, this assumes that such invisible entities are conscious (in some sense) and cognizant of human behavior. It also generally assumes and that it is possible to suffer their wrath or enjoy their approval, either in this world or the world to come. Even within religion, therefore, consequences and conscious states remain the foundation of all values.

#### Phenomenal introspection reliably informs us of pain’s badness and pleasure’s goodness as an empirical basis for ethics

Sinhababu ’13 (Neil, National University of Singapore, “The epistemic argument for hedonism,” 2013)

The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.28 While one's phenomenology is often called one's “subjective experience”, e facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ ontologically dependent on attitudes towards it.” My yellow-experiences are objectively bright, so that anyone who thought my yellow-experiences were not bright would be mistaken. Pleasure similarly is objectively good – it is true that anyone's pleasure is good, and anyone who denies this is mistaken. As Mendola writes, “In the phenomenal value of phenomenal experience, we have a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states**,** I can know that others' pleasure is good. Of course, I cannot phenomenally introspect their pleasures any more than I can phenomenally introspect pleasures that I will experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it is like when others have exactly the experience I am having, I must think that they are having good experiences. If they have exactly the same experiences I am having, their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it will have the same intrinsic properties. Even though the only pleasure I can introspect is mine now**,** I should believe that pleasures experienced by others and myself at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### There’s no act-omission distinction—

#### a. Every omission is an intentional decision to override other thought processes

Sartorio ’09 (Omissions and Causalism∗ - CAROLINA SARTORIO, University of Arizona [Volume 43, Issue 3](http://onlinelibrary.wiley.com.libproxy.usc.edu/doi/10.1111/nous.2009.43.issue-3/issuetoc), Article first published online: 3 AUG 2009)

Second, a causalist could claim that other things besides events can be causes and effects but causal talk involving events is still the most basic kind of causal talk. In particular, causal talk involving omissions and other absences can be true, but it is made true, ultimately, by causal talk involving events. This is Vermazen’s suggestion in his (1985), which Davidson explicitly embraces in his reply to Vermazen (Davidson 1985). How can a causalist do this? Roughly, Vermazen’s idea is the following. Imagine that I am tempted to eat some fattening morsels, but I refrain. Then my passing on the morsels is an intentional omission because the relevant mental states/events (proattitudes, intentions, etc.) cause my not eating the morsels, and this is, in turn, because, had those mental states been absent, then some other mental states/events (competing pro-attitudes, intentions, etc.) would have caused my eating the morsels. In other words, actual causal talk involving omissions is made true by counterfactual causal talk involving positive occurrences or events.

#### b. Government actions will inevitably lead to trade-offs since they benefit some and harm others; the only justifiable way to resolve these conflicts is by benefitting the maximum possible number of people since anything else would unequally prioritize one group over another. Actor-specificity comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied and link turns them because the alt would be *no* action.

#### Thus, the standard is maximizing pleasure and minimizing pain. Additionally:

#### Language cannot describe reality, which means a priori knowledge fails

Conard ’07 (Mark T, prof @ Marmount Manhattan, “Chaos, Order and Morality: Nietzsche’s Influence on Full Metal Jacket,” The Philosophy of Stanley Kubrick edited by Jerold J. Abrams)

Further, our conscious, rational thought is inseparable from language, and consequently, our understanding of the world is only possible through language. We use words to designate what we see and experience in the world. But, says Nietzsche: “A word becomes a concept insofar as it simulta- neously has to fit countless more or less similar cases—which means, purely and simply, cases which are never equal and thus altogether unequal. Every concept arises from the equation of unequal things. Just as it is certain that one leaf is never totally the same as another, so it is certain that the concept ‘leaf ’ is formed by arbitrarily discarding these individual differences and by forgetting the distinguishing aspects.”3 Our understanding and grasp of the world are achieved through language and concepts. But thought cannot grasp the difference and uniqueness of each individual thing. Rather, it ignores the myriad differences among things and groups them under abstract concepts. Does “leaf” designate or signify any one unique, individual thing? No, of course not; no word does. It covers or describes countless different things. That is how language functions, and again, our thinking is inseparable from language, such that our understanding of the world is based on this falsification of experience.

#### We have no unified consciousness

Parfit ’84 (Derek, *Reasons and Persons*) brackets for gender

Some recent medical cases provide striking evidence in favour of the Reductionist View. Human beings have a lower brain and two upper hemispheres, which are connected by a bundle of fibres. In treating a few people with severe epilepsy, surgeons have cut these fibres. The aim was to reduce the severity of epileptic fits, by confining their causes to a single hemisphere. This aim was achieved. But the operations had another unintended consequence. The effect, in the words of one surgeon, was the creation of ‘two separate spheres of consciousness.’ This effect was revealed by various psychological tests. These made use of two facts. We control our right arms with our left hemispheres, and vice versa. And what is in the right halves of our visual fields we see with our left hemispheres, and vice versa. When someone’s hemispheres have been disconnected, psychologists can thus present to this person two different written questions in the two halves of [their] visual field, and can receive two different answers written by this person’s two hands.

#### **Everything is an instantiation of the same substance**

Schaffer ’07 (Jonathan Schaffer, 2007. SEP. http://plato.stanford.edu/entries/monism/)

To my knowledge there is one main argument for existence **monism**, which is that it **provides the simplest** sufficient **ontology**. The idea is that we can give a complete account of the phenomena in which the world is the only concrete object mentioned, so that there is need to posit any further concreta. The argument may be formulated as follows: 1. The world is the only concrete object needed to explain how the world evolves. Somewhat more precisely, 1 claims that **the complete causal story of the world can be told in terms of the physical aspect of the world** (a path in physical configuration space), **together with whatever laws of nature govern temporal evolution**. No pieces of the world (such as tables or particles) need be mentioned in this story. To take a toy example, **consider** a Newtonian world containing what the folk would describe as **a rock shattering a window. The complete causal story here can be told purely in terms of the world's occupational manner vis-à-vis Newtonian configuration space**.[[16](http://plato.stanford.edu/entries/monism/notes.html#16)] **The rock and the window need not be mentioned.** **The world bears all the causal information.** The argument then adds that recognizing proper parts of the world is recognizing what is either explanatorily redundant or epiphenomenal: 2. **If the world is the only concrete object needed to explain how the world evolves, then if there were proper parts of the world, these proper parts would be explanatorily redundant** or epiphenomenal entities. If the world suffices to explain everything, then there is nothing left for its proper parts to explain. Its proper parts can at best explain what the world already suffices for. So if the proper parts explain anything at all they are redundant, while if they explain nothing at all they are epiphenomenal. The argument continues with a rejection of both explanatorily redundant and epiphenomenal entities: 3. There are no explanatorily redundant or epiphenomenal entities. Such a rejection is best defended on methodological grounds. **Occam's Razor cuts against** both **explanatorily** **redundant** and epiphenomenal **entities, as there can be no need for positing [them]** either.[[17](http://plato.stanford.edu/entries/monism/notes.html#17)] From which the argument concludes: 4. **[Thus] The world has no proper parts**. The conclusion may seem shocking, but the argument is valid, and the premises seem plausible.[[19](http://plato.stanford.edu/entries/monism/notes.html#19)]

#### Lastly, use ethical modesty—a) Substantively true since it maximizes the probability of achieving net most moral value. b) Aff strat—key to let the aff leverage aff offense against nonreciprocal NCs and frameworks that lean heavily neg. c) Topic education—disincentives debaters from going all in for framework which means we get the ideal balance between topic ed and phi led.

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Further, our conscious, rational thought is inseparable from language, and consequently, our understanding of the world is only possible through language. We use words to designate what we see and experience in the world. But, says Nietzsche: “A word becomes a concept insofar as it simulta- neously has to fit countless more or less similar cases—which means, purely and simply, cases which are never equal and thus altogether unequal. Every concept arises from the equation of unequal things. Just as it is certain that one leaf is never totally the same as another, so it is certain that the concept ‘leaf ’ is formed by arbitrarily discarding these individual differences and by forgetting the distinguishing aspects.”3 Our understanding and grasp of the world are achieved through language and concepts. But thought cannot grasp the difference and uniqueness of each individual thing. Rather, it ignores the myriad differences among things and groups them under abstract concepts. Does “leaf” designate or signify any one unique, individual thing? No, of course not; no word does. It covers or describes countless different things. That is how language functions, and again, our thinking is inseparable from language, such that our understanding of the world is based on this falsification of experience.

#### We have no unified consciousness

Parfit ’84 (Derek, *Reasons and Persons*) brackets for gender

Some recent medical cases provide striking evidence in favour of the Reductionist View. Human beings have a lower brain and two upper hemispheres, which are connected by a bundle of fibres. In treating a few people with severe epilepsy, surgeons have cut these fibres. The aim was to reduce the severity of epileptic fits, by confining their causes to a single hemisphere. This aim was achieved. But the operations had another unintended consequence. The effect, in the words of one surgeon, was the creation of ‘two separate spheres of consciousness.’ This effect was revealed by various psychological tests. These made use of two facts. We control our right arms with our left hemispheres, and vice versa. And what is in the right halves of our visual fields we see with our left hemispheres, and vice versa. When someone’s hemispheres have been disconnected, psychologists can thus present to this person two different written questions in the two halves of [their] visual field, and can receive two different answers written by this person’s two hands.

### Normal Theory

#### Empiricism is key to avoid regress

Richards ’86 (Robert, “A Defense of Evolutionary Ethics,” Biology and Philosophy) bracketed for offensive language

This brief discussion of justification of ethical principles indicates how the concept of justification must, I believe, be employed. "To justify" means "to demonstrate that a proposition or system of propositions conforms to a set of acceptable rules, a set of acceptable factual propositions, or a set of acceptable practices. The order of justification is from rules to empirical propositions about beliefs and practices. That is, if rules serving as inference principles or the rules serving as premises (e.g., the Golden Rule) of a justifying argument are themselves put to the test, then they must be shown to conform either to still more general rules or to empirical propositions about common beliefs and practices. Barring an infinite regress, this procedure must end in what are regarded as acceptable beliefs or practices. Aristotle, for instance, justified the forms of syllogistic reasoning by showing that they made explicit the patterns employed in argument by rational men. Kant justified the categorical imperative and the postulates of practical reason by demonstrating, to his satisfaction, that they were the necessary conditions of common moral experience: that is, he justified normative principles by showing that their application to particular cases reproduced the common moral conclusions of 18th century German burgers and Pietists. If this is an accurate rendering of the concept of justification, then the justification of first moral principles and inference rules must ultimately lead to an appeal to the beliefs and practices of [people], which of course is an empirical appeal. So moral principles ultimately can be justified only by facts.

#### Phenomenal introspection reliably informs us of pain’s badness and pleasure’s goodness as an empirical basis for ethics

Sinhababu ’13 (Neil, National University of Singapore, “The epistemic argument for hedonism,” 2013)

The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.28 While one's phenomenology is often called one's “subjective experience”, e facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ ontologically dependent on attitudes towards it.” My yellow-experiences are objectively bright, so that anyone who thought my yellow-experiences were not bright would be mistaken. Pleasure similarly is objectively good – it is true that anyone's pleasure is good, and anyone who denies this is mistaken. As Mendola writes, “In the phenomenal value of phenomenal experience, we have a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states**,** I can know that others' pleasure is good. Of course, I cannot phenomenally introspect their pleasures any more than I can phenomenally introspect pleasures that I will experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it is like when others have exactly the experience I am having, I must think that they are having good experiences. If they have exactly the same experiences I am having, their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it will have the same intrinsic properties. Even though the only pleasure I can introspect is mine now**,** I should believe that pleasures experienced by others and myself at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### There’s no act-omission distinction—government actions will inevitably lead to trade-offs since they benefit some and harm others; the only justifiable way to resolve these conflicts is by benefitting the maximum possible number of people since anything else would unequally prioritize one group over another. Actor-specificity comes first since different agents have different ethical standings. Takes out util calc indicts since they’re empirically denied and link turns them because the alt would be *no* action.

#### Thus, the standard is maximizing pleasure and minimizing pain. Additionally:

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#### Last is parameters—framework debate defines “ought”—that means it’s also a topicality issue so we have to theoretically defend our interpretation

Ulrich ’84 (Walter Alan, debate theorist, prof of Communication, “The nature of the topic in value debate”)

First, **unlike in policy debate, in value debate, the definition of terms is an integral** part of the stock issues of the resolution. **In value debate, there are two stock issues: the definitive issue and the designative issue. The definitive issue is essentially an issue of definition: what do we mean by good, desirable, beneficial, etc?** Like any other stock issue, this issue is best evaluated by determining which side has the superior arguments on the issue. **This would suggest that the best definition standard should be employed.** We do not resolve other issues by asking if one side has a "reasonable" position; we ask which side has the best support for their position. Why should this stock issue be treated differently from any other issue?

#### Prefer my interpretation:

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## Underview

### TL

#### First, CX checks on all T and theory on the advocacy. a) Ensures substantive education since we’ll be able to avoid theory in a bunch of instances, which ensures debate about the topic, which is applicable to the real world, b) mutually exclusive interps means I’m forced to take a stance but if I have no idea which you would prefer I just do so arbitrarily so you shouldn’t punish me.

#### Second, if I win a counter-interpretation to T or theory, vote aff. Time-pressed rebuttals means the aff needs the ability to collapse to theory in order to overcome the inequity of the speech times. Otherwise the 2NR would also moot a large portion of the 1AR by kicking theory. Prefer time skew to other links to fairness because it’s quantifiable and verifiable.

#### Third, reasonability and drop the argument on T. The briteline is if it’s been disclosed, defends a ban everywhere in the US for all guns and all individuals, provides link and impact turn ground, and has a CX concession spike. Prefer: a) Only the aff has the burden of meeting topicality, so it’s nonreciprocal to hold it to the same standards as other theory, b) mutually exclusive legitimate T interps—I have to choose one but you could read T no matter what which skews my strat—best possible interpretation is a bad standard.

#### Fourth, aff’s political method is good—

#### Critical academia that doesn’t engage politics makes efficacy impossible – they re-inscribe the existing structure in a constant critique

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### Simulated legal debates are key to social transformation—creates a rallying point

Karl Klare, George J. & Kathleen Waters Matthews Distinguished University Professor, Northeastern University School of Law, “Teaching Local 1330—Reflections on Critical Legal Pedagogy,” (‘11). School of Law Faculty Publications. Paper 167. http://hdl.handle.net/2047/d20002528

This dialogue continues for awhile. **One ineffective theory after another is put on the table**. **Only once or twice in the decades I have taught this exercise have the students gotten close to a viable legal theory**. But this is not wasted time—lear**n**ing **occurs in** this phase of **the exercise**. **The point conveyed is** that **while law and morals/politics are inextricably intertwined**, **they are not the same**. For one thing, **lawyers have a distinct way of talking about and analyzing problems** that is characteristic of the legal culture of a given time and place. So-called “**legal reasoning**” **is actually a repertoire of conventional**, **culturally approved rhetorical moves and counter-moves** **deployed by lawyers** to **create an appearance of** the **legal necessity** of the results for which they contend. In addition, **good lawyers** actually **possess useful**, specialized **knowledge** not **generally** absorbed by **political theorists or movement** activists**. Legal training sensitizes us** **to the many complexities that arise whenever general norms and principles are implemented in the form of rules** of decision **or case applications**. **Lawyers know**, for example, that large stakes may turn on precisely how a right is defined, **who has standing** to vindicate it, **what remedies it provides, how the right is enforced** and in what venue(s), and so on. **We are not doing our jobs** properly **if we argue,** simply, “**what the defendant did was unjust and the plaintiff deserves relief**.” No one needs a lawyer to make the “what the defendant did was unjust” argument. As Lynd‟s account shows, the workers of Youngstown did make that argument in their own, eloquent words and through their collective resistance to the shut-downs. **If “what the defendant did was unjust” is all we have to offer, lawyers bring no added value to the table. Progressive students** sometimes **tell themselves** that **law is** basically **gobbledygook**, but that you can assist movements for social change if you learn how to spout the right gobbledygook. In this view of legal practice, “creativity” consists in identifying an appropriate technicality that helps your client. But in the Youngstown situation, we are way past that naïve view. There is no “technicality” that can win the case. In this setting, **a social justice lawyer must use the bits and pieces lying around to generate new legal knowledge and new legal theories**. And **these new theories must say something** **more than** “**my client deserves to win**” (although it is fine to commence one‟s research on the basis of that moral intuition). The class is beginning to get frustrated, and around now someone says “well, what do you expect? This is capitalism. There‟s no way the workers were going to win.” The “this-is-capitalism” (“TIC”) statement sometimes comes from the right, sometimes from the left, and usually from both ends of the spectrum but in different ways. The TIC statement precipitates another teachable moment. I begin by saying that we need to tease out exactly what the student means by TIC, as several interpretations are possible. For example, TIC might be a prediction of what contemporary courts are most likely to do. That is, TIC might be equivalent to saying that “it doesn‟t matter what theory you come up with; 999 US judges out of 1,000 would rule for U. S. Steel.”17 I allow that this is probably true, but not very revealing. The workers knew what the odds were before they launched the case. Even if doomed to fail, **a legal case may still make a contribution to social justice** if **the litigation creates a** focal point **of energy around which a community can mobilize, articulate moral and political claims, educate the wider public, and conduct political consciousness-raising**. And if there is political value in pursuing a case, we might as well make good legal arguments. On an alternative reading, the TIC observation is more ambitious than a mere prediction. It might be a claim that a capitalist society requires a legal structure of a certain kind, and that therefore professionally acceptable legal reasoning within capitalist legal regimes cannot produce a theory that interrogates the status quo beyond a certain point. Put another way, some outcomes are so foreign to the bedrock assumptions of private ownership that they cannot be reached by respectable legal reasoning. A good example of an outcome that is incompatible with capitalism, so the argument goes, is a court order interfering with U.S. Steel‟s decision to leave Youngstown. **This reading of the TIC comment embodies** **the idea** that **legal discourse** is **encased within a deeper**, extra-legal **structure given by requirements of** the social order (**capitalism**), **so that within professionally responsible legal argument** **the best lawyers in the world could not state a winning theory** in Local 1330. Ironically, **the left and the right in the class often share this belief.** I take both conservative and progressive students on about this. I insist that **the** **claim** that **our law is constrained by a** **rigid meta-logic of capitalism**—which curiously parallels the notion that legal outcomes are tightly constrained by legal reasoning—is just plain wrong. **Capitalist societies recognize** all **sorts of limitations** **on the rights of property owners**. Professor Singer‟s classic article catalogues a multitude of them.18 **The claim is not only false**, **it is a** dangerous **falsehood**. **To believe TIC in this sense is to limit in advance our aspirations for what social justice lawyering can accomplish**.

#### Abandoning policy discussion for epistemological questioning freezes action—it’s intellectual elitism

Jarvis 2k [Darryl Jarvis (Director of the Research Institute for International Risk and Lecturer in International Relations, The University of Sydney) 2000 “International relations and the challenge of postmodernism” p. 128-9]

More is the pity that such irrational and obviously abstruse debate should so occupy us at a time of great global turmoil.  That it does and continues to do so reflects our lack of judicious criteria for evaluating theory and, more importantly, the lack of attachment theorist have to the real world.  Certainly it is right and proper that we ponder what we ponder the depth of our theoretical imagination, engage in epistemological and ontological debate, and analyze the sociology of our knowledge.  But to suppose that this is the only talk on international theory, let alone the most important one, smacks of intellectual elitism and displays a certain contempt for those who search for guidance in their daily struggle as actors in international politics.  What does Ashley’s project, his deconstructive efforts, or valiant fight against positivism say to the truly marginalized, oppressed, and destitute?  How does it help solve the plight of the poor, the displaced refugees, the casualties of war, or the emrigres of death squads?  Does it in any way speak to those actions and thoughts comprise the policy and practice of international relations?  On all these questions one must answer no.  That is not to say, of course, that all theory should be judged by its technical rationality and problem solving capacity as Ashley forcefully argues.  But to suppose that problem solving technical theory is not necessary – or is in some way bad – is a contemptuous position that abrogates any hope of solving some of the nightmarish realities that millions confront daily.  As Holsti argues, we need ask of these theorists and their theories the ultimate question, “So What?”  To what purpose do they construct, problematize, destabilize, undermine, ridicule, and belittle modernist and rationalist approaches?  Does this get us any further, make the world any better, or enhance the human condition?  In what sense can this “debate towards bottomless pit of epistemology and metaphysics” be judged pertinent, relevant, helpful, or cogent to anyone other than those foolish enough to be scholastically excited by abstract and recondite debate?

#### Policy simulation is key to political activism—we learn the levers of power

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

#### Engaging the state is productive—that means discussions of fiat are valuable. Statism is inevitable—innovative engagement can redirect power for emancipation.

Martin and Pierce ’13 Deborah G. Martin, Joseph Pierce, “Reconceptualizing Resistance: Residuals of the State and Democratic Radical Pluralism,” Antipode, Vol. 45, Issue 1, pp. 61-79, January 2013, DOI: 10.1111/j.1467-8330.2012.00980.x

The state offers a complex set of power structures against and with which resistance struggles (Holloway 2005; Scott 1988; Tormey 2004). Indeed, Holloway (2005) sees the state as so entrenched in power relations such that any resistance in or through the state is irrevocably bound up in its power logic. We acknowledge state power as always present, but not necessarily as monolithic.2 Despite—or perhaps because of— the power relations inherent in state frameworks, it is in part through laws and state regulations that activists can achieve reworked economic relations such as worker ownership, community banks, or cooperative housing (DeFilippis 2004). Hackworth explicitly acknowledges the possibility of a “neo-Keynesian” resistance which seeks to maintain relatively left-leaning state functions. Ultimately, though, he dismisses the resistive potential of such “neo-Keynesian” efforts, arguing that they have yielded “highly limited” successes (2007:191). We argue, however, that focusing on a state's ordering functions [the “police” component of states; as in Rancière (2004)] may provide a lens for examining how resistance through the state might destabilize or subvert neoliberal hegemony. We articulate the notion of residuals, or mechanisms of the state that can, or have historically, been wielded to mitigate inequalities of capitalism. In order to explore this arena as potentially productive for resistance, we first consider radical democracy as an already-articulated conceptualization of neoliberal resistance (Laclau and Mouffe 1985; Purcell 2008). Radical democracy does not seek to enroll the state in resistance to capital, per se, but recognizes the simultaneous co-presence of a hegemonic (but always changing) state, and anti-hegemonic resistances. Radical Democracy: Responding to Hegemony? The concept of radical democracy provides a framework for articulating where residual state apparatuses stand amidst the myriad layers of state functions, power, and hegemony (cf Laclau and Mouffe 1985; Rancière 2004). We imagine a politics in which the state –whether capitalist or not— is always hegemonic, and thus always produces an outside or excluded that is resistant to the hegemonic order. Radical democracy as initially described by Laclau and Mouffe (1985) offered a theory of resistance—although they did not use that term—to capitalist hegemonies.3 Their goal was to identify a leftist, anti-hegemonic political project that did not rely on unitary categories such as class, in response to the identity politics of the 1970s to 1990s and post-structural theorizing of the absence of any common (structural or cultural) basis for political transformation. The theory of radical democracy posits that any order is an hegemonic order; the post-Marxist socialist project of Laclau and Mouffe seeks to destabilize the hegemonies of capitalism and work towards more democratic articulations that marginalize capital, even as forms of inequality may persist (Laclau and Mouffe 1985). Nonetheless, they can seek more articulations, more opportunities for social protest and struggle over multiple inequalities. Each struggle will produce—or seek to produce—new orders, or hegemonies, but these will be unseated by other struggles; this process describes a democracy not defined solely by a capitalist hegemony. As scholars have increasingly taken neoliberalism as the distinct form of contemporary capitalism in response to which resistance is engaged, they have explored the ways that its intense market logic constricts possibilities for traditional political activism to engage the state: the state is responsive primarily to the logic of facilitating the work of private capital (Brenner and Theodore 2002; Harvey 2005; Mitchell 2003; Peck and Tickell 2002; Purcell 2008). At the same time, however, neoliberalism opens possibilities for resistance because of its internal contradictions (like all hegemonic orders); it simultaneously engages the state to facilitate capital expansion, yet rhetorically rejects the state as an active player in market logics (Leitner, Peck and Sheppard 2007; Peck and Tickell 2002; Purcell 2008). In doing so, the door is opened for alternative projects and resistances. Purcell (2008) takes up the ideals of radical democracy to focus on how it might provide specific means for resistance to neoliberalism. He wants to take the insights of Laclau and Mouffe and apply them to a particular, empirically informed framework for engaged activism that actually interrupts, if not challenges (and mostly not, in his examples), neoliberalism. As a result, Purcell engages specifically with the idea of “chains of equivalence”, which he defines as “entities [which] must simultaneously be both different and the same” (2008:74). Political coalitions and actors with shared or complimentary challenges to neoliberalism—but distinct in character, goals, and identities—form networks of equivalence [Purcell (2008), drawing from Hardt and Negri (2004) as well as Laclau and Mouffe (1985)]. Simply put, networks of equivalence conceptually allow for multiple groups with different specific interests and identities to band together to challenge the hegemony of neoliberal capitalism. The crucial point for Purcell, however, and the key radical pluralist component is that those groups can work together without having to resolve their internal differences; they need only share a common questioning of the neoliberal prioritizing of private capital. They share a struggle, then, for a different hegemony (Laclau and Mouffe 1985; Purcell 2008). In the battle against global finance, for example, activists with different specific interests (agriculture or trade policy or environmental protections) confront the state in the form of police in the streets of Seattle or Cancun (Wainwright 2007); their objections are to the state policies and agreements which support and create frameworks for world trade. In Purcell's (2008) networks of equivalence in Seattle, a similar, yet more spatially circumscribed network of neighborhood community activists, environmental activists, and a Native American tribe work together to challenge the terms of the environmental clean-up of toxins in and around the Duwamish River. Their target is the corporate interests being held responsible for actually funding the clean-up. The agent helping to hold the corporate interests accountable is the Federal Environmental Protection Agency (EPA). Seattle area environmental activists have been able to form a “chain of equivalence” with the EPA in the Duwamish clean-up in part by inserting themselves into an EPA framework that seeks stakeholder input through a participatory planning structure. The shared interests of the EPA and environmental activists are not obvious or easy to negotiate; the EPA, as a bureaucracy with many actors situated within the US federal system, is positioned as a complex institutional agent. But its particular mandate with regard to environmental protection offers a difficult relation to capital, one sometimes allied with non-state actors seeking limits to capital. Purcell's (2008) account of this case is insightful and engaging. We are highly sympathetic to his project of conceptualizing resistance and, by connection, a better, more complete democracy. But we differ over some of the details—essential details—of how best to enact successful resistances. In his case study of the Duwamish River clean up in Seattle, Purcell (2008) cites government policies as the factor enabling community resistance and involvement. His account is historically detailed—and necessarily so, for the complexities of the state have everything to do with the sedimented and sometimes inherently contradictory nature of its policies and procedures. In brief, he points to the EPA, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (also known as “Superfund”), and associated environmental laws as a sort of “environmental Keynesianism” that the federal government enacted in the decade of the 1970s (through 1980) (Purcell 2008:137). For Purcell, the neoliberalisation of these laws is evident in the increasing local devolution of governance authority over particular Superfund sites, including his case of the Duwamish River, resulting in “a proliferation of ad hoc and special purpose entities [that] increasingly carries out the everyday decision-making in Superfund cleanups” (2008:137). At the same time, however, Purcell (2008:138) acknowledges “that such ‘flexibilization’ … tends to create political opportunities that social movements can exploit”. We want to engage the idea that such flexible—or Keynesian—tools of the state are levers that can force the state to act in ways that might be counter to capital and in the service of greater democracy. In particular, we hope for a more complex, and, we expect, more practically productive conceptualization of resistance in relation to the state. While Purcell (2008:38, 183, note 2,2) acknowledges resistive possibilities from engagement with the state, he also notes that “the state is fully imbricated in the project of neoliberalization” (a point also made elsewhere; cf Harvey 2005; Holloway 2005; Mitchell 2003; Smith 1996; Wainwright 2007). We do not disagree with the basic contention that the state regulates and administers a hegemonic political economic order of and for capital. But the state is complex; following the persuasive arguments of Laclau and Mouffe (1985) and the example of the EPA in Purcell (2008), the state ought to be conceptualized like any actor: as multifaceted, with many possible subjectivities in relation to any particular conflict. This complexity offers the possibility that the state can be a tool for resistance, one we explore further in the rest of this paper.

#### The master’s tools can be used to dismantle the master’s house

James 09

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In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

#### The law is malleable—debating it is the only way to affect change

Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

#### Intervening in the state is not weak reformism, but radical experimentation. Predetermining the government as an impenetrable structure repeats the worst of structuralist irresponsibility by needlessly bracketing leftist politics into irrelevance.

Connolly ’12 William E. Connolly, Krieger-Eisenhower Professor of Political Science at Johns Hopkins University, “Steps toward an Ecology of Late Capitalism,” Theory & Event, Vol. 15, Issue 1, 2012, Muse

A philosophy attending to the acceleration, expansion, irrationalities, interdependencies and fragilities of late capitalism suggests that we do not know with confidence, in advance of experimental action, just how far or fast changes in the systemic character of neoliberal capitalism can be made. The structures often seem solid and intractable, and indeed such a semblance may turn out to be true. Some may seem solid, infinitely absorptive, and intractable when they are in fact punctuated by hidden vulnerabilities, soft spots, uncertainties and potential lines of flight that become apparent as they are subjected to experimental action, upheaval, testing, and strain. Indeed, no ecology of late capitalism, given the variety of forces to which it is connected by a thousand pulleys, vibrations, impingements, dependencies, shocks and thin threads, can specify with supreme confidence the solidity or potential flexibility of the structures it seeks to change. The strength of structural theory, at its best, was in identifying institutional intersections that hold a system together; its conceit, at its worst, was the claim to know in advance how resistant those intersections are to potential change. Without adopting the opposite conceit, it seems important to pursue possible sites of strategic action that might open up room for productive change. Today it seems important to attend to the relation between the need for structural change and identification of multiple sites of potential action. You do not know precisely what you are doing when you participate in such a venture. You combine an experimental temper with the appreciation that living and acting into the future inevitably carries a shifting quotient of uncertainty with it. The following tentative judgments and sites of action may be pertinent.

### K

#### Let us weigh the fiated implications of the plan against the alternative—a) key to aff engagement, since otherwise they moot the entirety of the 1AC and I’m forced to re-establish offense in the 1AR which exacerbates side bias, b) stasis point—ensures the plan text remains the stable locus of argumentation—key to reciprocity since otherwise they can just critique 1 tiny thing I did in the 1AC, and key to clash since the discussion is centered and predictable which solves irresolvable clash of civilizations debates.

#### Next, the aff’s political method is good—

#### Critical academia that doesn’t engage politics makes efficacy impossible – they re-inscribe the existing structure in a constant critique

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### Simulated legal debates are key to social transformation—creates a rallying point

Karl Klare, George J. & Kathleen Waters Matthews Distinguished University Professor, Northeastern University School of Law, “Teaching Local 1330—Reflections on Critical Legal Pedagogy,” (‘11). School of Law Faculty Publications. Paper 167. http://hdl.handle.net/2047/d20002528

This dialogue continues for awhile. **One ineffective theory after another is put on the table**. **Only once or twice in the decades I have taught this exercise have the students gotten close to a viable legal theory**. But this is not wasted time—lear**n**ing **occurs in** this phase of **the exercise**. **The point conveyed is** that **while law and morals/politics are inextricably intertwined**, **they are not the same**. For one thing, **lawyers have a distinct way of talking about and analyzing problems** that is characteristic of the legal culture of a given time and place. So-called “**legal reasoning**” **is actually a repertoire of conventional**, **culturally approved rhetorical moves and counter-moves** **deployed by lawyers** to **create an appearance of** the **legal necessity** of the results for which they contend. In addition, **good lawyers** actually **possess useful**, specialized **knowledge** not **generally** absorbed by **political theorists or movement** activists**. Legal training sensitizes us** **to the many complexities that arise whenever general norms and principles are implemented in the form of rules** of decision **or case applications**. **Lawyers know**, for example, that large stakes may turn on precisely how a right is defined, **who has standing** to vindicate it, **what remedies it provides, how the right is enforced** and in what venue(s), and so on. **We are not doing our jobs** properly **if we argue,** simply, “**what the defendant did was unjust and the plaintiff deserves relief**.” No one needs a lawyer to make the “what the defendant did was unjust” argument. As Lynd‟s account shows, the workers of Youngstown did make that argument in their own, eloquent words and through their collective resistance to the shut-downs. **If “what the defendant did was unjust” is all we have to offer, lawyers bring no added value to the table. Progressive students** sometimes **tell themselves** that **law is** basically **gobbledygook**, but that you can assist movements for social change if you learn how to spout the right gobbledygook. In this view of legal practice, “creativity” consists in identifying an appropriate technicality that helps your client. But in the Youngstown situation, we are way past that naïve view. There is no “technicality” that can win the case. In this setting, **a social justice lawyer must use the bits and pieces lying around to generate new legal knowledge and new legal theories**. And **these new theories must say something** **more than** “**my client deserves to win**” (although it is fine to commence one‟s research on the basis of that moral intuition). The class is beginning to get frustrated, and around now someone says “well, what do you expect? This is capitalism. There‟s no way the workers were going to win.” The “this-is-capitalism” (“TIC”) statement sometimes comes from the right, sometimes from the left, and usually from both ends of the spectrum but in different ways. The TIC statement precipitates another teachable moment. I begin by saying that we need to tease out exactly what the student means by TIC, as several interpretations are possible. For example, TIC might be a prediction of what contemporary courts are most likely to do. That is, TIC might be equivalent to saying that “it doesn‟t matter what theory you come up with; 999 US judges out of 1,000 would rule for U. S. Steel.”17 I allow that this is probably true, but not very revealing. The workers knew what the odds were before they launched the case. Even if doomed to fail, **a legal case may still make a contribution to social justice** if **the litigation creates a** focal point **of energy around which a community can mobilize, articulate moral and political claims, educate the wider public, and conduct political consciousness-raising**. And if there is political value in pursuing a case, we might as well make good legal arguments. On an alternative reading, the TIC observation is more ambitious than a mere prediction. It might be a claim that a capitalist society requires a legal structure of a certain kind, and that therefore professionally acceptable legal reasoning within capitalist legal regimes cannot produce a theory that interrogates the status quo beyond a certain point. Put another way, some outcomes are so foreign to the bedrock assumptions of private ownership that they cannot be reached by respectable legal reasoning. A good example of an outcome that is incompatible with capitalism, so the argument goes, is a court order interfering with U.S. Steel‟s decision to leave Youngstown. **This reading of the TIC comment embodies** **the idea** that **legal discourse** is **encased within a deeper**, extra-legal **structure given by requirements of** the social order (**capitalism**), **so that within professionally responsible legal argument** **the best lawyers in the world could not state a winning theory** in Local 1330. Ironically, **the left and the right in the class often share this belief.** I take both conservative and progressive students on about this. I insist that **the** **claim** that **our law is constrained by a** **rigid meta-logic of capitalism**—which curiously parallels the notion that legal outcomes are tightly constrained by legal reasoning—is just plain wrong. **Capitalist societies recognize** all **sorts of limitations** **on the rights of property owners**. Professor Singer‟s classic article catalogues a multitude of them.18 **The claim is not only false**, **it is a** dangerous **falsehood**. **To believe TIC in this sense is to limit in advance our aspirations for what social justice lawyering can accomplish**.

#### Abandoning policy discussion for epistemological questioning freezes action—it’s intellectual elitism

Jarvis 2k [Darryl Jarvis (Director of the Research Institute for International Risk and Lecturer in International Relations, The University of Sydney) 2000 “International relations and the challenge of postmodernism” p. 128-9]

More is the pity that such irrational and obviously abstruse debate should so occupy us at a time of great global turmoil.  That it does and continues to do so reflects our lack of judicious criteria for evaluating theory and, more importantly, the lack of attachment theorist have to the real world.  Certainly it is right and proper that we ponder what we ponder the depth of our theoretical imagination, engage in epistemological and ontological debate, and analyze the sociology of our knowledge.  But to suppose that this is the only talk on international theory, let alone the most important one, smacks of intellectual elitism and displays a certain contempt for those who search for guidance in their daily struggle as actors in international politics.  What does Ashley’s project, his deconstructive efforts, or valiant fight against positivism say to the truly marginalized, oppressed, and destitute?  How does it help solve the plight of the poor, the displaced refugees, the casualties of war, or the emrigres of death squads?  Does it in any way speak to those actions and thoughts comprise the policy and practice of international relations?  On all these questions one must answer no.  That is not to say, of course, that all theory should be judged by its technical rationality and problem solving capacity as Ashley forcefully argues.  But to suppose that problem solving technical theory is not necessary – or is in some way bad – is a contemptuous position that abrogates any hope of solving some of the nightmarish realities that millions confront daily.  As Holsti argues, we need ask of these theorists and their theories the ultimate question, “So What?”  To what purpose do they construct, problematize, destabilize, undermine, ridicule, and belittle modernist and rationalist approaches?  Does this get us any further, make the world any better, or enhance the human condition?  In what sense can this “debate towards bottomless pit of epistemology and metaphysics” be judged pertinent, relevant, helpful, or cogent to anyone other than those foolish enough to be scholastically excited by abstract and recondite debate?

#### Policy simulation is key to political activism—we learn the levers of power

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

#### Engaging the state is productive—that means discussions of fiat are valuable. Statism is inevitable—innovative engagement can redirect power for emancipation.

Martin and Pierce ’13 Deborah G. Martin, Joseph Pierce, “Reconceptualizing Resistance: Residuals of the State and Democratic Radical Pluralism,” Antipode, Vol. 45, Issue 1, pp. 61-79, January 2013, DOI: 10.1111/j.1467-8330.2012.00980.x

The state offers a complex set of power structures against and with which resistance struggles (Holloway 2005; Scott 1988; Tormey 2004). Indeed, Holloway (2005) sees the state as so entrenched in power relations such that any resistance in or through the state is irrevocably bound up in its power logic. We acknowledge state power as always present, but not necessarily as monolithic.2 Despite—or perhaps because of— the power relations inherent in state frameworks, it is in part through laws and state regulations that activists can achieve reworked economic relations such as worker ownership, community banks, or cooperative housing (DeFilippis 2004). Hackworth explicitly acknowledges the possibility of a “neo-Keynesian” resistance which seeks to maintain relatively left-leaning state functions. Ultimately, though, he dismisses the resistive potential of such “neo-Keynesian” efforts, arguing that they have yielded “highly limited” successes (2007:191). We argue, however, that focusing on a state's ordering functions [the “police” component of states; as in Rancière (2004)] may provide a lens for examining how resistance through the state might destabilize or subvert neoliberal hegemony. We articulate the notion of residuals, or mechanisms of the state that can, or have historically, been wielded to mitigate inequalities of capitalism. In order to explore this arena as potentially productive for resistance, we first consider radical democracy as an already-articulated conceptualization of neoliberal resistance (Laclau and Mouffe 1985; Purcell 2008). Radical democracy does not seek to enroll the state in resistance to capital, per se, but recognizes the simultaneous co-presence of a hegemonic (but always changing) state, and anti-hegemonic resistances. Radical Democracy: Responding to Hegemony? The concept of radical democracy provides a framework for articulating where residual state apparatuses stand amidst the myriad layers of state functions, power, and hegemony (cf Laclau and Mouffe 1985; Rancière 2004). We imagine a politics in which the state –whether capitalist or not— is always hegemonic, and thus always produces an outside or excluded that is resistant to the hegemonic order. Radical democracy as initially described by Laclau and Mouffe (1985) offered a theory of resistance—although they did not use that term—to capitalist hegemonies.3 Their goal was to identify a leftist, anti-hegemonic political project that did not rely on unitary categories such as class, in response to the identity politics of the 1970s to 1990s and post-structural theorizing of the absence of any common (structural or cultural) basis for political transformation. The theory of radical democracy posits that any order is an hegemonic order; the post-Marxist socialist project of Laclau and Mouffe seeks to destabilize the hegemonies of capitalism and work towards more democratic articulations that marginalize capital, even as forms of inequality may persist (Laclau and Mouffe 1985). Nonetheless, they can seek more articulations, more opportunities for social protest and struggle over multiple inequalities. Each struggle will produce—or seek to produce—new orders, or hegemonies, but these will be unseated by other struggles; this process describes a democracy not defined solely by a capitalist hegemony. As scholars have increasingly taken neoliberalism as the distinct form of contemporary capitalism in response to which resistance is engaged, they have explored the ways that its intense market logic constricts possibilities for traditional political activism to engage the state: the state is responsive primarily to the logic of facilitating the work of private capital (Brenner and Theodore 2002; Harvey 2005; Mitchell 2003; Peck and Tickell 2002; Purcell 2008). At the same time, however, neoliberalism opens possibilities for resistance because of its internal contradictions (like all hegemonic orders); it simultaneously engages the state to facilitate capital expansion, yet rhetorically rejects the state as an active player in market logics (Leitner, Peck and Sheppard 2007; Peck and Tickell 2002; Purcell 2008). In doing so, the door is opened for alternative projects and resistances. Purcell (2008) takes up the ideals of radical democracy to focus on how it might provide specific means for resistance to neoliberalism. He wants to take the insights of Laclau and Mouffe and apply them to a particular, empirically informed framework for engaged activism that actually interrupts, if not challenges (and mostly not, in his examples), neoliberalism. As a result, Purcell engages specifically with the idea of “chains of equivalence”, which he defines as “entities [which] must simultaneously be both different and the same” (2008:74). Political coalitions and actors with shared or complimentary challenges to neoliberalism—but distinct in character, goals, and identities—form networks of equivalence [Purcell (2008), drawing from Hardt and Negri (2004) as well as Laclau and Mouffe (1985)]. Simply put, networks of equivalence conceptually allow for multiple groups with different specific interests and identities to band together to challenge the hegemony of neoliberal capitalism. The crucial point for Purcell, however, and the key radical pluralist component is that those groups can work together without having to resolve their internal differences; they need only share a common questioning of the neoliberal prioritizing of private capital. They share a struggle, then, for a different hegemony (Laclau and Mouffe 1985; Purcell 2008). In the battle against global finance, for example, activists with different specific interests (agriculture or trade policy or environmental protections) confront the state in the form of police in the streets of Seattle or Cancun (Wainwright 2007); their objections are to the state policies and agreements which support and create frameworks for world trade. In Purcell's (2008) networks of equivalence in Seattle, a similar, yet more spatially circumscribed network of neighborhood community activists, environmental activists, and a Native American tribe work together to challenge the terms of the environmental clean-up of toxins in and around the Duwamish River. Their target is the corporate interests being held responsible for actually funding the clean-up. The agent helping to hold the corporate interests accountable is the Federal Environmental Protection Agency (EPA). Seattle area environmental activists have been able to form a “chain of equivalence” with the EPA in the Duwamish clean-up in part by inserting themselves into an EPA framework that seeks stakeholder input through a participatory planning structure. The shared interests of the EPA and environmental activists are not obvious or easy to negotiate; the EPA, as a bureaucracy with many actors situated within the US federal system, is positioned as a complex institutional agent. But its particular mandate with regard to environmental protection offers a difficult relation to capital, one sometimes allied with non-state actors seeking limits to capital. Purcell's (2008) account of this case is insightful and engaging. We are highly sympathetic to his project of conceptualizing resistance and, by connection, a better, more complete democracy. But we differ over some of the details—essential details—of how best to enact successful resistances. In his case study of the Duwamish River clean up in Seattle, Purcell (2008) cites government policies as the factor enabling community resistance and involvement. His account is historically detailed—and necessarily so, for the complexities of the state have everything to do with the sedimented and sometimes inherently contradictory nature of its policies and procedures. In brief, he points to the EPA, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (also known as “Superfund”), and associated environmental laws as a sort of “environmental Keynesianism” that the federal government enacted in the decade of the 1970s (through 1980) (Purcell 2008:137). For Purcell, the neoliberalisation of these laws is evident in the increasing local devolution of governance authority over particular Superfund sites, including his case of the Duwamish River, resulting in “a proliferation of ad hoc and special purpose entities [that] increasingly carries out the everyday decision-making in Superfund cleanups” (2008:137). At the same time, however, Purcell (2008:138) acknowledges “that such ‘flexibilization’ … tends to create political opportunities that social movements can exploit”. We want to engage the idea that such flexible—or Keynesian—tools of the state are levers that can force the state to act in ways that might be counter to capital and in the service of greater democracy. In particular, we hope for a more complex, and, we expect, more practically productive conceptualization of resistance in relation to the state. While Purcell (2008:38, 183, note 2,2) acknowledges resistive possibilities from engagement with the state, he also notes that “the state is fully imbricated in the project of neoliberalization” (a point also made elsewhere; cf Harvey 2005; Holloway 2005; Mitchell 2003; Smith 1996; Wainwright 2007). We do not disagree with the basic contention that the state regulates and administers a hegemonic political economic order of and for capital. But the state is complex; following the persuasive arguments of Laclau and Mouffe (1985) and the example of the EPA in Purcell (2008), the state ought to be conceptualized like any actor: as multifaceted, with many possible subjectivities in relation to any particular conflict. This complexity offers the possibility that the state can be a tool for resistance, one we explore further in the rest of this paper.

#### The master’s tools can be used to dismantle the master’s house

James 09 (Robin M. James, Assistant Professor in the Philosophy Department at the University of North Carolina at Charlotte, Spring 2009, Hypatia, available via Wiley online library)

In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

#### The law is malleable—debating it is the only way to affect change

Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

#### Intervening in the state is not weak reformism, but radical experimentation. Predetermining the government as an impenetrable structure repeats the worst of structuralist irresponsibility by needlessly bracketing leftist politics into irrelevance.

Connolly ’12 William E. Connolly, Krieger-Eisenhower Professor of Political Science at Johns Hopkins University, “Steps toward an Ecology of Late Capitalism,” Theory & Event, Vol. 15, Issue 1, 2012, Muse

A philosophy attending to the acceleration, expansion, irrationalities, interdependencies and fragilities of late capitalism suggests that we do not know with confidence, in advance of experimental action, just how far or fast changes in the systemic character of neoliberal capitalism can be made. The structures often seem solid and intractable, and indeed such a semblance may turn out to be true. Some may seem solid, infinitely absorptive, and intractable when they are in fact punctuated by hidden vulnerabilities, soft spots, uncertainties and potential lines of flight that become apparent as they are subjected to experimental action, upheaval, testing, and strain. Indeed, no ecology of late capitalism, given the variety of forces to which it is connected by a thousand pulleys, vibrations, impingements, dependencies, shocks and thin threads, can specify with supreme confidence the solidity or potential flexibility of the structures it seeks to change. The strength of structural theory, at its best, was in identifying institutional intersections that hold a system together; its conceit, at its worst, was the claim to know in advance how resistant those intersections are to potential change. Without adopting the opposite conceit, it seems important to pursue possible sites of strategic action that might open up room for productive change. Today it seems important to attend to the relation between the need for structural change and identification of multiple sites of potential action. You do not know precisely what you are doing when you participate in such a venture. You combine an experimental temper with the appreciation that living and acting into the future inevitably carries a shifting quotient of uncertainty with it. The following tentative judgments and sites of action may be pertinent.

### --- Zanotti

#### A state-based heuristic is good—sweeping state bad arguments overgeneralize and stifles political agency—instead, we should assess the practical effects of particular policies

Zanotti ’13 — Laura Zanotti, Associate Professor of Political Science at Virginia Tech, holds a Ph.D. in International Relations from Florida International University, 2013 (“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World,” *Alternatives: Global, Local, Political*, Volume 38, Issue 4, November, Available Online to Subscribing Institutions via SAGE Publications Online, p. 299-300)

In this article, I have argued that, notwithstanding their critical stance, scholars who use governmentality as a descriptive tool remain rooted in substantialist ontologies that see power and subjects as standing in a relation of externality. They also downplay processes of coconstitution and the importance of indeterminacy and ambiguity as the very space where political agency can thrive. In this [end page 299] way, they drastically limit the possibility for imagining political agency outside the liberal straightjacket. They represent international liberal biopolitical and governmental power as a homogenous and totalizing formation whose scripts effectively oppress ‘‘subjects,’’ that are in turn imagined as free ‘‘by nature.’’ Transformations of power modalities through multifarious tactics of hybridization and redescriptions are not considered as options. The complexity of politics is reduced to homogenizing and/or romanticizing narratives and political engagements are reduced to total heroic rejections or to revolutionary moments. / By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. / Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’’84

### Theory

#### First, CX checks on all T and theory on the advocacy. a) Ensures substantive education since we’ll be able to avoid theory in a bunch of instances, which ensures debate about the topic, which is applicable to the real world, b) mutually exclusive interps means I’m forced to take a stance but if I have no idea which you would prefer I just do so arbitrarily so you shouldn’t punish me.

#### Second, if I win a counter-interpretation to T or theory, vote aff. Time-pressed rebuttals means the aff needs the ability to collapse to theory in order to overcome the inequity of the speech times. Otherwise the 2NR would also moot a large portion of the 1AR by kicking theory. Prefer time skew to other links to fairness because it’s quantifiable and verifiable.

#### Third, reasonability and drop the argument on T. The briteline is if it’s been disclosed, defends a ban everywhere in the US for all guns and all individuals, provides link and impact turn ground, and has a CX concession spike. Prefer: a) Only the aff has the burden of meeting topicality, so it’s nonreciprocal to hold it to the same standards as other theory, b) mutually exclusive legitimate T interps—I have to choose one but you could read T no matter what which skews my strat—best possible interpretation is a bad standard, c) research skills—incentivizes the neg to actually prep out slightly more obscure affs instead of reading T which outweighs since it’s one of the foremost educational benefits of debate, d) time skew—it’s nearly impossible to invest enough time on T in the 1AR to win under a normal paradigm without undercovering everything else—makes a 2NR collapse way too easy.

#### Fourth, neg abuse outweighs aff abuse. a) Some aff abuse is necessary to overcome neg side bias and time skew, b) aff speaks in the dark while the neg is reactive, which means when assessing whether their arguments are abusive they can compare directly with the circumstances of the round—I have to do so hypothetically.

#### Fifth, presume aff. 7-4-6-3 time skew means a) if we’re tied, I’ve done the better debating and b) It’s fairer to give the aff the advantage of being able to win by eliminating all offense than the neg.

#### Sixth, no 2NR theory or new neg RVI arguments. 2:1 time trade-off between the 2NR and the 2AR means giving them the ability to uplayer in the last speech is devastating to me. It’s also too late to start that debate—usually becomes irresolvable.

#### Seventh, neg may only read 1 T or theory shell. Multiple shells spread out the 1AR and allow the 2NR to collapse to whichever shell was undercovered, meaning I wasn’t given a fair shot at justifying my practice. Multiple rounds solve your offense since we can check lots of abusive practices over time.

### --- Probability 1st

#### Debate’s race to hyperbole reduces our ability to discuss and compare impacts---be skeptical of “risk of a link” logic and willing to dismiss ridiculously improbable scenarios

Odekirk 10 (Scott, debate coach 8/6/10, Impact Hyperbole: A Dilemma of Contemporary Debate Practice, <http://puttingthekindebate.com/2010/08/26/impact-hyperbole-a-dilemma-of-contemporary-debate-practice/>)

It seems as though debate is stuck in a loop of nuclear wars and no value to life. We have a difficult time of conceiving of a terminal impact that doesn’t end in some ultimate destruction. Without terminal impacts such as nuclear war or the root of all claims, we have a tough time comparing and weighing impacts. Our arguments for spill over connect even the most improbable of scenarios. Take for example our Africa war arguments. Given that Africa, as a continent, largely lack nuclear capabilities the chances of a conflict escalating in this area of the world are slim at best, but still debate returns to evidence written by The Rabid Tiger Project. In fact if you google “http://www.rabidtigers.com/rtn/newsletterv2n9.html”, you will find the great majority of the hits are debate links. This particular scenario is largely a debate creation and the scholarly world around it seems to have largely dismissed this single article as lacking credibility. Even in a debate context, this particular evidence is difficult to take seriously with a big debate on the line. Beyond the most terrible of impact evidence though, a world of equally terrifying scenario’s exist. According to the debate community, we face nuclear war because of any of the following: economic collapse in any number of countries across the globe, a lack of US leadership, use of US hard power (pre-emption, imperialist expansion, etc), India-Pakistan conflict, Middle East escalation, Iran nuclearization, capitalism, the lack of capitalism, patriarchy, racism, nuclear terrorism, US response to a terrorist attack, Taiwan independence, Chinese collapse, Russian aggression, Russian collapse, or accidental launch of nuclear weapons. That’s a short list and I am certain it doesn’t contain all the ways a nuclear war could break out as described in debate scenarios. If one listened closely to the debate community, a sense of inevitable doom would most certainly replace any belief in a long life. As much as it would seem I am poking fun at the policy debate community, kritik debaters caught in the same loop. External impacts to our criticisms are often extinction claims. A great number of K’s end in root of all claims or no value to life claims. In a very similar pattern, our kritiky impacts reflect the same sense of terminal destruction we find in the policy community we often subject to kritik. Possibly living under the sword of Damocles has had more impact on our psyche than Americans give it credit. Possibly living in the information age has resulted in the ability to read any old nut as great impact evidence without the effective critical thinking skills to discern who or what qualifies as credible. Possibly debate as a community lacks a language by which to communicate the dangers of racism, sexism, homophobia, economic justice, poor foreign relations, or terrorism. Is this tumble into impact hyperbole a problem? Well, it definitely does not reflect the sort of care a scholar takes in his/her work. It lacks the humility of limited claims backed only with probable warrants. Although there are some scenarios which could escalate into extinction or which do explain important pre-conditions for violence or meaningful living, these scenarios are much more limited than the debate community gives credence. In theory, the repetition of these hyperboles naturalize them or, at least, make them appear natural/normal. Our community convinces itself the impacts we discuss are credible threats. We are a population believing in an exaggerated reality – a hyper real if you will. Before we give ourselves the credit of knowing that our impacts are exaggerated, let us consider those of us who move on to work in think tanks or write law reviews who assess the threats of nuclear wars to the United States. In fact, this honor, think tank writer, is given out at the NDT every year. Perhaps a better question is, what is the value of our current impact debate? We don’t really help avoid nuclear wars or prevent violence by making every possible interaction into a discussion of the potential for either. If all of these scenarios result in gruesome ending for life on Earth, then the issues become very muddled. The result may be a sort of nihilism which in its conclusion is more Darwinian than Nietzsche. If we decide there is a impact hyperbole problem, what then is the alternative? Of course, the literature is our guide to a sensible form of impact debate, but we wouldn’t be in this predicament without literature. No debater asserts these impacts; they read cards. Cards = Truth Currency. A solution is a better internal link debate. How do the scenarios unfold? To examine the internals means examining all the many different ways the world would intervene in order to prevent the terminal impact from occurring. Debate judges can only work with what debaters give them, but we too must be willing to tell a team their impacts are overblown when this argument is part of the debate. Giving a debate ballot to the team who finds a 1% risk of extinction is a silly judging paradigm at best. At worst, it reflects a lack of critical thinking on the part of a debate critic. I am most definitely not saying critics should intervene and make impact arguments that are not in the debate, but giving more weight to impact defense is an important start to reign in our impact hyperbole.

#### People have a cognitive bias against high probability-low magnitude impacts—prefer our impacts

Yudkowsky 6 [Eliezer, 8/31/2006. Singularity Institute for Artificial Intelligence Palo Alto, CA. “Cognitive biases potentially affecting judgment of global risks, Forthcoming in Global Catastrophic Risks, eds. Nick Bostrom and Milan Cirkovic,[singinst.org/upload/cognitive-biases.pdf](http://singinst.org/upload/cognitive-biases.pdf))

4. The Conjunction Fallacy Linda is 31 years old, single, outspoken, and very bright. She majored in philosophy. As a student, she was deeply concerned with issues of discrimination and social justice, and also participated in anti-nuclear demonstrations. Rank the following statements from most probable to least probable: 1. Linda is a teacher in an elementary school. 2. Linda works in a bookstore and takes Yoga classes. 3. Linda is active in the feminist movement. 4. Linda is a psychiatric social worker. 5. Linda is a member of the League of Women Voters. 6. Linda is a bank teller. 7. Linda is an insurance salesperson. 8. Linda is a bank teller and is active in the feminist movement. 89% of 88 undergraduate subjects ranked (8) as more probable than (6) (Tversky and Kahneman 1982). Since the given description of Linda was chosen to be similar to a feminist and dissimilar to a bank teller, (8) is more representative of Linda’s description. However, ranking (8) as more probable than (6) violates the conjunction rule of probability theory which states that p(A & B) \_ p(A). Imagine a sample of 1,000 women; surely more women in this sample are bank tellers than are feminist bank tellers. Could the conjunction fallacy rest on subjects interpreting the experimental instructions in an unanticipated way? Perhaps subjects think that by “probable” is meant the probability of Linda’s description given statements (6) and (8), rather than the probability of (6) and (8) given Linda’s description. Or perhaps subjects interpret (6) to mean “Linda is a bank teller and is not active in the feminist movement.” **Although many creative alternative hypotheses have been invented to explain away the conjunction fallacy, the conjunction fallacy has survived all experimental tests meant to disprove it;** see e.g. Sides et al. (2002) for a summary. For example, the following experiment excludes both of the alternative hypotheses proposed above: Consider a regular six-sided die with four green faces and two red faces. The die will be rolled 20 times and the sequence of greens (G) and reds (R) will be recorded. You are asked to select one sequence from a set of three and you will win $25 if the sequence you chose appears on successive rolls of the die. Please check the sequence of greens and reds on which you prefer to bet. 1. RGRRR 2. GRGRRR 3. GRRRRR 125 undergraduates at UBC and Stanford University played this gamble with real payoffs. 65% of subjects chose sequence (2) (Tversky and Kahneman 1983). Sequence (2) is most representative of the die, since the die is mostly green and sequence (2) contains the greatest proportion of green faces. However, sequence (1) dominates sequence (2) because (1) is strictly included in (2), to get (2) you must roll (1) preceded by a green face. In the above task, the exact probabilities for each event could in principle have been calculated by the students. However, rather than go to the effort of a numerical calculation, it would seem that (at least 65% of) the students made an intuitive guess, based on which sequence seemed most “representative” of the die. Calling this “the representativeness heuristic” does not imply that students deliberately decided that they would estimate probability by estimating similarity. Rather, the representativeness heuristic is what produces the intuitive sense that sequence (2) “seems more likely” than sequence (1). In other words the “representativeness heuristic” is a built-in feature of the brain for producing rapid probability judgments rather than a consciously adopted procedure. We are not aware of substituting judgment of representativeness for judgment of probability. **The conjunction fallacy** similarly **applies to futurological forecasts**. Two independent sets of professional analysts at the Second International Congress on Forecasting were asked to rate, respectively, the probability of “A complete suspension of diplomatic relations between the USA and the Soviet Union, sometime in 1983” or “A Russian invasion of Poland, and a complete suspension of diplomatic relations between the USA and the Soviet Union, sometime in 1983.” The second set of analysts responded with significantly higher probabilities (Tversky and Kahneman 1983). In Johnson et al. (1993), MBA students at Wharton were scheduled to travel to Bangkok as part of their degree program. Several groups of students were asked how much they were willing to pay for terrorism insurance. One group of subjects was asked how much they were willing to pay for terrorism insurance covering the flight from Thailand to the US. A second group of subjects was asked how much they were willing to pay for terrorism insurance covering the round-trip flight. A third group was asked how much they were willing to pay for terrorism insurance that covered the complete trip to Thailand. These three groups responded with average willingness to pay of $17.19, $13.90, and $7.44 respectively. **According to probability theory,**adding additional detail onto a story must render the story less probable. It is less probable that Linda is a feminist bank teller than that she is a bank teller, since all feminist bank tellers are necessarily bank tellers.Yet human psychology seems to follow the rule that adding an additional detail can make the story more plausible.People might pay more for international diplomacy intended to prevent nanotechnological warfare by China, than for an engineering project to defend against nanotechnological attack from any source. Thesecond threat scenario is less vivid and alarming, but the defense is more useful because it is more vague. More valuable still would be strategies which make humanity harder to extinguish without being specific to nanotechnologic threats—such as colonizing space, or see Yudkowsky (2008) on AI. Security expert Bruce Schneier observed (both before and after the 2005 hurricane in New Orleans) that the U.S. government was guarding specific domestic targets against “movie-plot scenarios” of terrorism, at the cost of taking away resources from emergency-response capabilities that could respond to any disaster (Schneier 2005). Overly detailed reassurances can also create false perceptions of safety: “X is not an existential risk and you don’t need to worry about it, because A, B, C, D, and E”; where the failure of any one of propositions A, B, C, D, or E potentially extinguishes the human species. “We don’t need to worry about nanotechnologic war, because a UN commission will initially develop the technology and prevent its proliferation until such time as an active shield is developed, capable of defending against all accidental and malicious outbreaks that contemporary nanotechnology is capable of producing, and this condition will persist indefinitely.” Vivid, specific scenarios can inflate our probability estimates of security, as well as misdirecting defensive investments into needlessly narrow or implausibly detailed risk scenarios**.**More generally, people tend to overestimate conjunctive probabilitiesand underestimate disjunctive probabilities (Tversky and Kahneman 1974). That is, people tend to overestimate the probability that, e.g., seven events of 90% probability will all occur. Conversely, people tend to underestimate the probability that at least one of seven events of 10% probability will occur. Someone judging whether to, e.g., incorporate a new startup, must evaluate the probability that many individual events will all go right (there will be sufficient funding, competent employees, customers will want the product) while also considering the likelihood that at least one critical failure will occur (the bank refuses a loan, the biggest project fails, the lead scientist dies). This may help explain why only 44% of entrepreneurial ventures2 survive after 4 years (Knaup 2005). Dawes (1988, 133) observes: “In their summations lawyers avoid arguing from disjunctions (‘either this or that or the other could have occurred, all of which would lead to the same conclusion’) in favor of conjunctions. Rationally, of course, disjunctions are much more probable than are conjunctions.” The scenario of humanity going extinct in the next century is a disjunctive event. It could happen as a result of any of the existential risks we already know about—or some other cause which none of us foresaw. Yet for a futurist, disjunctions make for an awkward and unpoetic-sounding prophecy.

### Disclosure

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#### Third, A] Interpretation: Debaters may only read positions that are disclosed before the debate on their NDCA wiki page under their own name with full citations, tags, and first three/last three words.

#### B] Violation:

#### C] Standards:

#### 1] Quality engagement—disclosure allows in-depth preparation before the round which checks back against unpredictable positions and allows debaters to effectively write case negs and blocks—allows for reciprocal engagement where each side has an equal opportunity to prepare as opposed to scouting capacity to determine success, and incentivizes in-depth debates which is key to clash and good topic education

#### 2] Reciprocity—the majority of national circuit buys into disclosure and put stuff on the wiki. They get access to cites and cards for cases and prep, which improves quality ground and means they can predict what other people are running, but we can’t predict them. This outweighs—a) every reason disclosure is good is an advantage for them and not me, b) view their counter-interp with a grain of salt since it’s self-serving. Reciprocity key to fairness—ensures equal access to the ballot.

#### 3] Academic Ethics—disclosure deters mis-cutting, power-tagging, abuse of brackets and ellipses, and plagiarism—independent voter for academic honesty—it’s a real-world norm and debate loses educational value if we can just make up cards

#### 4] Deep Research—disclosure incentivizes specific, in-depth research

Nails ’13 (Jacob, “A Defense of Disclosure (Including Third-Party Disclosure)”, 10/10/2013)

I fall squarely on the side of disclosure. I find that the largest advantage of widespread disclosure is the educational value it provides. First, disclosure streamlines research. Rather than every team and every lone wolf researching completely in the dark, the wiki provides a public body of knowledge that everyone can contribute to and build off of. Students can look through the different studies on the topic and choose the best ones on an informed basis without the prohibitively large burden of personally surveying all of the literature. The best arguments are identified and replicated, which is a natural result of an open marketplace of ideas. Quality of evidence increases across the board. In theory, the increased quality of information could trade off with quantity. If debaters could just look to the wiki for evidence, it might remove the competitive incentive to do one’s own research. Empirically, however, the opposite has been true. In fact, a second advantage of disclosure is that it motivates research. Debaters cannot expect to make it a whole topic with the same stock AC – that is, unless they are continually updating and frontlining it. Likewise, debaters with access to their opponents’ cases can do more targeted and specific research. Students can go to a new level of depth, researching not just the pros and cons of the topic but the specific authors, arguments, and adovcacies employed by other debaters. The incentive to cut author-specific indicts is low if there’s little guarantee that the author will ever be cited in a round but high if one knows that specific schools are using that author in rounds. In this way, disclosure increases incentive to research by altering a student’s cost-benefit analysis so that the time spent researching is more valuable, i.e. more likely to produce useful evidence because it is more directed. In any case, if publicly accessible evidence jeopardized research, backfiles and briefs would have done LD in a long time ago.

#### 5] Small Schools—non-disclosure helps big schools—they have more coaches, debaters, and larger networks to scout and generate prep—disclosure checks back so everyone’s on the same playing field, and lets smaller schools get access to more prep—outweighs since it’s a *structual inequality* in debate. *You’ll say small schools get prepped out, but a) altruistic and empirically denied—we’re the first circuit debaters CRLS has ever had and we have nearly 0 school support, b) turn—they can cut from the wiki so they’ll have better prep, c) no one preps out random lone wolves, d) no impact—at the highest levels, debaters do their own prep and e) turn – prep-outs encourage better case-writing*

#### D] Voters—

#### Fairness is a voter—debate is a competitive activity that requires objective evaluation. Education is a voter—it’s intrinsic to debate. Drop the debater—the abuse has already occurred and my time allocation has shifted—also the shell indicts your whole aff—justifies severance which skews my strat. Use competing interps—leads to a race to the top since we figure out the best possible norm and avoids judge intervention since there’s a clear briteline. No RVIs—counter-interp: they get an RVI if neg reads 2 or more shells—

# Extensions

### Systemic Violence

#### Gun ownership makes IPV deadly—that’s Everytown for Gun Safety 14

#### It also enables astronomical suicide rates—impulsivity + handguns is a recipe for disaster—that’s Mariani 15/Miller 15

#### We break down gun culture that causes **racism, sexism, ableism, neoliberalism, heteronormativity, colonialism, and biopower—that’s Gahman 14**

#### Last is racism—guns lock in cycles of racial oppression—they allow white supremacists to inflict violence against minority communities—that’s Peniel 15

### Solvency OV

#### Try or die for a cultural shift—even if there are still guns, we cause a long-term shift proven by Australia—that’s Donohue 15—outweighs all their black market/substitution/self-defense arguments—those are just short-term bumps in the road while the aff decreases gun zeal in the long-term which reduces violence

### --- Dixon weighing

#### **Outweighs:**

#### 1. Specificity—specific to handguns—also means aff solves all your offense because other weapons that have less of a potential for problematic usage can be deployed

#### 2. Scope—cites multiple comprehensive studies

#### 3. Strength of the data—cites a correlation of .746—means you err aff if they read a few studies with weaker conclusions

### Soft Power

#### Try or die—conceded terminal uniqueness: America’s failure to pass gun laws devastates international perception and so do high crime rates—that’s Freedland and Falk—devastates soft power which is the only solution to international crises—that’s Nye

#### [Warming is real, anthropogenic and causes extinction—that’s Mazo]

#### [Disease causes extinction—rapid spread of new strains guarantees it—that’s DUJS]

#### [Soft power key to solve multiple scenarios for great power war—ensures global stability—impact is nuclear—that’s Brooks et al.]

### Cartels

#### Try or die—conceded terminal uniqueness: lax US gun control is fueling cartels right now—that’s the Melhako 12 cards—they have easy access to guns here and profit from gun trafficking

#### That causes Mexican instability—cartels wrench control away from the government, eroding rule of law—that’s Pedigo 12

#### Mexico instability causes extinction— that’s Manwaring ’5—laundry list of impacts: disease, regional war, other failed states, terrorism, human trafficking, WMDs, genocide, poverty

# 1AR Shells

### CX Checks

#### Extend the interpretation—for all theoretical objections regarding the aff advocacy, the interpretation must be checked in cross-examination, giving me an opportunity to comply or conflict.

#### Violation: They didn’t

#### Reasons to prefer:

#### 1. Fairness—

#### There are mutually exclusive interps on every topic, i.e. must spec, can’t spec. There was no way for me to predict how you wanted my advocacy to be. That means reading an interp not checked in CX is unfair—

#### a. You’re forcing me to defend an implicit stance that I don’t genuinely feel the need to defend. I may have arbitrarily chosen one side of a two-sided T debate, simply because I had to—that means I can’t be expected to provide an offensive reason for all of my practices. Kills qualitative theory ground—key to fairness because I need good args to win.

#### b. Means they can uplayer and moot the aff regardless of what I do—that means there is literally no way for me to avoid having my offense disappear every single round. Skews my strat—kills fairness because I need a coherent strategy to win.

#### Meta-theory first—a) gateway issue—proves I wasn’t given a fair shot to justify my practice so you can’t vote on the original shell, b) abuse on theory outweighs since theory is a game-over issue

### Condo Bad

#### A. Interpretation: the neg must defend all advocacies unconditionally. To clarify, this means you cannot run a conditional counterplan.

#### B. Violation: they’re condo

#### C. Prefer:

#### 1] Tactics—condo allows you to engage in tactics instead of actually debating—incentivizes the 2NR to defend a flawed advocacy that has the least responses to it—that kills advocacy skills because they don’t have to account for good objections to their positions—also guts my ability to engage in depth advocacy comparison since 1) aff doesn’t have the reciprocal ability to kick, and b) exacerbates time-pressed 1AR by mooting the time spent on kicked positions. That kills fairness which is a voter because debate is an adversarial activity and you need an objective basis through which to view the round—unfair practices skew the rest of the debate

#### Multiple rounds solve all your breadth impacts, but we can only access benefits of depth in this individual round

#### Drop the debater—drop the arg kicks the CP for them and my time is already skewed.

#### Use competing interps—leads to a race to the top and avoids judge intervention since there’s a clear briteline. No RVIs—counter-interp: they get an RVI if neg reads X or more shells—

#### a. Baiting—they’ll just bait theory and prep it out—justifies infinite abuse and results in a chilling effect

#### b. 2NR all-outs—they’ll collapse entirely to theory which crowds out substance and kills education

### Dispo Bad

#### A] Interpretation: the neg must defend all advocacies unconditionally. To clarify, this means you cannot run a dispositional counterplan.

#### B] Violation:

#### C] Prefer:

#### Strat skew—double bind—either a) they kill perm ground since I’m unwilling to let them kick the advocacy, which kills fairness and clash since perms are key to garner net benefits through perms or make links indicts effectively, and to ensure limits and reciprocity since otherwise aff can’t check infinite neg advocacies, OR b) I bite the bullet and perm but they can kick it which guts my ability to engage in depth advocacy comparison since it exacerbates time-pressed 1AR by mooting the time spent on kicked positions.

#### Fairness is a voter—debate is a competitive activity that requires objective evaluation. Drop the debater—the abuse has already occurred and my time allocation has shifted. Use competing interps—leads to a race to the top and avoids judge intervention since there’s a clear briteline. No RVIs—counter-interp: they get an RVI if neg reads X or more shells—

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# Case Frontlines

## Soft Power

### Add-On: India Relations

#### US soft power is key to US-India relations – influence makes the partnership resilient and effective

Pande ’12 (Aparna Pande, Director, Initiative on the Future of India and South Asia, 5-17-2012, "U.S.-India: A Soft Power Tie That Binds", Hudson Institute, http://www.hudson.org/research/8941-u-s-india-a-soft-power-tie-that-binds#ER, DA: 7-9-2015)

While the Atlantic partnership will always remain important for the United States, it is the United States’ ties with India that will be the “defining partnership” of the twenty-first century. Ties with India are the result of more than two decades of efforts by Indian and American leaders, and they will remain steady despite ups and downs because they rest on an underpinning not only of hard power but of soft power. India is one of the fastest growing economies in the world today, and American companies aim to benefit from the Indian economic boom. Bilateral trade today stands at over $50 billion and American foreign investment in India is approximately $16 billion. The potential for collaboration in the fields of science and technology between the U.S. and India has grown exponentially. The removal of Indian defense and space organizations from the “entity list” will help forge partnerships between companies in both countries. The security dimension of the U.S.-India partnership is equally critical with deepening military-to-military ties, counter-terrorism cooperation, defense sales and a common desire to defend the domains of cyber and outer space. American policymakers tend to view their ties with India not just in the bilateral context but in the broader global context. India and the U.S. are both status quo powers that seek inclusive security architecture not only for Asia, but beyond. During their visits to India, both President Barack Obama and Secretary Hillary Rodham Clinton have repeatedly emphasized their desire that India build deeper strategic and economic ties with its East and South East Asian neighbors. The two countries share a similar outlook with respect to Afghanistan and Pakistan. Indian discussions of the U.S.-led war in Afghanistan have helped crystallize a certain school of Indian thinking which views robust U.S. engagement in the region as conducive to Indian security. Also, while skeptical of American support for Pakistan, most Indian strategists agree that American absence from Afghanistan and Pakistan is harmful to Indian interests. While hard power is critical in international relations, it is soft power that ensures relationships between countries withstand the vagaries of politics and crises. During the Cold War, India had a hard power-based relationship with the Soviet Union. While there will always be a hard power component to India’s relationship with the U.S., it is the strengthening of the soft power relationship that is critical. In a recent book titled China’s Nightmare, America’s Dream: India as the Next Global Power, a former American diplomat, William Avery, argues that like the United Kingdom, the United States and India too share the ideals of democracy, human rights, rule of law and free markets. To this we should add pluralism and an open society. That the United States seeks a long-term, people-to-people relationship is demonstrated in the way high-level visits are structured. Secretary Clinton’s trips have included visits to non-governmental organizations as well as interactive media appearances. President Obama held a town hall meeting with students during his 2010 visit to India. During the 1950s and 60s, when American leaders and policymakers visited India, the focus of attention was India’s first Prime Minister Jawaharlal Nehru and his cabinet colleagues; the opposition parties were rarely paid much attention. With the rise of coalition politics during the 1990s and the importance of political parties, including those in opposition, American officials and leaders made it a point to broaden their interaction. Not only does this reflect a desire to reach out to the larger population, but it reflects an understanding of internal media dynamics. There has been an attempt to go beyond the federal government with the rise in power and importance of regional players in Indian politics. In each of her last three trips to India, Secretary Clinton has made it a point to visit a key regional capital in addition to New Delhi—Mumbai, Chennai and Kolkata. The visit to Mumbai was important not only because the city is India’s financial capital, but also to express solidarity with the residents of the city who have suffered repeatedly at the hands of terrorists. The United States consulate in Chennai has the distinction of issuing the largest numbers of American visas of all the consulates in India. Both Chennai and Kolkata are important for domestic politics: the parties in power in these states are mercurial allies of the Congress party—and for foreign policy—politics in Tamil Nadu and West Bengal affects India’s ties to Sri Lanka and Bangladesh. There is a similar regionalization on the American side—an increasing number of American states are building independent economic ties with their counterparts in India. A consistently favorable rating of the other country in polling data demonstrates that there is a genuine desire in both countries for better ties. According to the Gallup American Favorability Toward Countries poll, India has had a consistently high ranking—72 percent (2011) and 75 percent (2012)—which places it just below allies like Canada, Australia, the United Kingdom, France, Japan and Germany. According to Pew Global Attitudes Project 2011, the number of Indians (41 percent) and Americans (49 percent) who have a favorable view of the other country is very similar. Also, 10 percent of Indians and 14 percent of Americans have an unfavorable view of the other. The two countries seem to have come a long way from the Cold War era and the days of President Nixon. In early May 2012, Secretary Clinton went on what is most likely her last trip to India as secretary of state. In her four years as secretary, Ms. Clinton has traveled to India almost every year. The last three American presidents have also made it a point to visit India once during the course of their presidency. While there is a still a long way to go, the relationship between the United States and India has the potential of becoming another Entente Cordiale, a special relationship.

#### India relations solve nuclear tensions

Schaffer ’02 (Spring 2002, Building a new partnership with India, Teresita Schaffer—Director of the South Asia Program at the Center for Strategic and International Security, Washington Quarterly, Lexis)

**Washington's increased interest in India** since the late 1990s **reflects India's economic** expansion and **position** as Asia's newest rising power. New Delhi, for its part, is adjusting to the end of the Cold War. As a result, **both** giant **democracies** see that they **can benefit by closer cooperation**. For Washington, **the advantages include** a wider network of friends in Asia at a time when the region is changing rapidly, as well as **a stronger position from which to help calm possible future nuclear tensions in the region. Enhanced trade** and investment **benefit both countries and are a prerequisite for improved U.S. relations with India**. For India, the country's ambition to assume a stronger leadership role in the world and to maintain an economy that lifts its people out of poverty depends critically on good relations with the United States.

### AT: Sopo Fails

#### US Soft power *does* solve

Shur ’13 (Renee Shur – Independent Writing and Editing Professional – “Obama’s accomplishments: The shift to softer power” – Occasional Planet – December 30, 2013 – http://www.occasionalplanet.org/2013/12/30/obamas-accomplishments-the-shift-to-softer-power/)

In other words, Obama has been living up to that first day’s pledge. And at least some of that course correction looks like it’s working. Case in point: Syria. Diplomacy and the threat of military force successfully maneuvered Syria/Russia into disclosing Syria’s stockpiles of chemical weapons for the first time ever and into allowing U.N. inspectors to monitor the destruction of those weapons. Second case in point: Iran. Isn’t that the world’s pariah that’s finally sat down at the negotiating table after years of economic sanctions to talk with the U.S. and the international community without the shock and awe of airstrikes by the U.S. or Israel? Maybe I’m missing nuances available only to the cognoscenti, but the easing of tensions with Syria and Iran certainly look like foreign-policy successes to me. Not all of Obama’s foreign-policy decisions have been so successful. Most prominent is the policy of drone strikes that has taken the lives of far too many innocents along with the lives of intended terrorist targets. The drone program must surely be judged a failure based on “collateral damage” alone. I’m not alone in predicting that this cornerstone of Obama’s national-security program will surely be judged harshly by history. However, progressives who slam Obama and his tenure in office should take a moment to reflect soberly on the contrast between Obama and the previous administration. Have some of us forgotten how flat-footed and belligerent foreign policy was during the Bush era? Remember how countries were labeled evil as if we and the world were living inside an adolescent’s dream video game? Remember how just talking to adversaries was verboten in the neo-con playbook of Cheney and Rumsfeld? (Recently, that bit of stupidity made an encore following Nelson Mandela’s funeral when conservative media manufactured a brouhaha over President Obama’s handshake and exchange of politesse with Cuba’s Raul Castro. How dare he, they snarled.) Observing Obama’s appointments at the State Department and the Defense Department, it seems the President has quietly committed in an incremental fashion to a rebalancing toward the use of soft power, a concept first articulated by Harvard professor Joseph Nye, that refers to an approach that encourages parties to acknowledge shared goals through dialogue and exchange. Who could have predicted that it would be Robert Gates, former Secretary of Defense in Obama’s first administration and a holdover from the Bush administration, who first articulated Obama’s step away from the prevailing emphasis on hard power—that is, military force, the threat of military force, or coercion—that gripped Washington during the Bush years. Gates was the first to call for enhancing soft power when he called before Congress for a “dramatic increase in spending on the civilian instruments of national security—diplomacy, strategic communications, foreign assistance, civic action, economic reconstruction and development.” From Robert Gates to former Secretary of State Hillary Rodham Clinton—who traveled the globe tirelessly in support of civil-society activists and understood the power of women’s rights for advancing economic development and peaceful societies—to Secretary of State John Kerry to Secretary of Defense Chuck Hagel, it’s clear that Obama’s appointment of those individuals represents a commitment to the use of soft power on the international stage. And now, as we enter the sixth year of the President’s time in office, it’s becoming ever clearer that Obama’s turning of the unwieldy American ship—particularly in the foreign-policy realm—was more than just a metaphorical flourish that defined the speech of his life. It turns out it may indeed be a promise kept.

#### Soft power works – hard power alone won’t cut it.

Nye ’9 (Joseph Samuel Nye, Jr. is an American political scientist and former Dean of the John F. Kennedy School of Government at Harvard University. He currently holds the position of University Distinguished Service Professor at Harvard University where he has been a member of the faculty since 1964 – “The U.S. can reclaim 'smart power'” – LA Times – January 21st – http://www.latimes.com/la-oe-nye21-2009jan21-story.html)

The Pentagon is the best resourced arm of the government, but there are limits to what hard power can achieve on its own. Promoting democracy, human rights and the development of civil society are not best handled with the barrel of a gun. The effects of the 9/11 terrorist attacks threw America off course. Terrorism is a real threat, but over-responding to the provocations of extremists does us more damage than the terrorists ever could. Success in the struggle against terrorism means finding a new central premise for U.S. foreign policy to replace the "war on terror." A commitment to providing for the global good can provide that premise. America can become a smart America -- a smart power -- by again investing in global public goods, providing things people and governments of the world want but have not been able to get in the absence of leadership by the strongest country. Development, public health and coping with climate change are good examples. By complementing U.S. military and economic might with greater investments in soft power, and focusing on global public goods, the U.S. can rebuild the framework that it needs to tackle tough global challenges.

### AT: Government Sopo Fails

#### Government policies – not civil society – are the key factor in soft power.

Nye ’9 (Joseph Samuel Nye, Jr. is an American political scientist and former Dean of the John F. Kennedy School of Government at Harvard University. He currently holds the position of University Distinguished Service Professor at Harvard University where he has been a member of the faculty since 1964. “Get Smart” Foreign Affairs, Jul/Aug2009, Vol. 88, Issue 4 Obtained via the Political Science Complete Database)

The major elements of a country's soft power include its culture (when it is pleasing to others), its values (when they are attractive and consistently practiced), and its policies (when they are seen as inclusive and legitimate). Over the past decade, public opinion polls have shown a serious decline in the United States' popularity in Europe, Latin America, and, most dramatically, the Muslim world. Poll respondents have generally cited the United States' policies, more than its culture or values, to explain this decline. Since it is easier for a country to change its policies than its culture, U.S. President Barack Obama should focus on choosing policies that can help recover some of the United States' soft power.

#### Civil society not key – government policy best shapes soft power.

Goldsmith ’12 (et al – Benjamin, Professor Gov University of Sidney – July – “In Search of Soft Power: Does Foreign Public Opinion Matter for US Foreign Policy?” World Politics, Vol 64 No 3, p 555-585, ProjectMuse)

We argue that it is the public views about current foreign policy— rather than underlying public affinity—that are directly relevant in shaping international outcomes. For the case of US soft power, foreign decision makers today care about their public’s potential reactions to specific foreign policy choices, such as signing a treaty or going to war, rather than the popularity of Nike goods, admiration for the US Bill of Rights, or opinions about the Vietnam War. Culture, values, institutions, and (past) policies—the four currencies of soft power—are important latent or underlying factors, public perceptions of which play a role in how views about current foreign policy are formed, but on their own are relatively indeterminate, as Nye himself suggests.17

### AT: Sopo Resilient

#### Resiliency misses the point – soft power isn’t set in stone. It can ebb too low – and new policies can reverse trends.

Nye ’9 (Joseph Samuel Nye, Jr. is an American political scientist and former Dean of the John F. Kennedy School of Government at Harvard University. He currently holds the position of University Distinguished Service Professor at Harvard University[1] where he has been a member of the faculty since 1964 – “The U.S. can reclaim 'smart power'” – LA Times – January 21st – http://www.latimes.com/la-oe-nye21-2009jan21-story.html)

When poll respondents are asked why they report a decline in American soft power, they cite American policies more than American culture or values. Because it is easier for a country to change its policies than its culture, this implies that Obama will be able to choose policies that could help to recover some of America's soft power. Of course, soft power is not the solution to all problems. North Korean dictator Kim Jong Il likes to watch Hollywood movies, but that is unlikely to affect his nuclear weapons program. And soft power got nowhere in attracting the Taliban government away from its support for Al Qaeda in the 1990s. That took hard military power in 2001. But other goals, such as the promotion of democracy and human rights, are better achieved by soft power. A little more than a year ago, the bipartisan Center for Strategic and International Studies' Commission on Smart Power concluded that America's image and influence had declined in recent years, and that the U.S. had to move from exporting fear to inspiring optimism and hope. The commission was not alone in this conclusion. Defense Secretary Robert M. Gates has called for the U.S. to commit more money and effort to soft-power tools, including diplomacy, economic assistance and communications, because the military alone cannot defend U.S. interests. He pointed out that military spending totals nearly half a trillion dollars annually -- excluding Iraq and Afghanistan -- compared with a State Department budget of $36 billion. In his words: "I am here to make the case for strengthening our capacity to use soft power and for better integrating it with hard power." The Pentagon is the best resourced arm of the government, but there are limits to what hard power can achieve on its own. Promoting democracy, human rights and the development of civil society are not best handled with the barrel of a gun. The effects of the 9/11 terrorist attacks threw America off course. Terrorism is a real threat, but over-responding to the provocations of extremists does us more damage than the terrorists ever could. Success in the struggle against terrorism means finding a new central premise for U.S. foreign policy to replace the "war on terror." A commitment to providing for the global good can provide that premise. America can become a smart America -- a smart power -- by again investing in global public goods, providing things people and governments of the world want but have not been able to get in the absence of leadership by the strongest country. Development, public health and coping with climate change are good examples. By complementing U.S. military and economic might with greater investments in soft power, and focusing on global public goods, the U.S. can rebuild the framework that it needs to tackle tough global challenges. Style also matters. In 2001, columnist Charles Krauthammer argued for what he called "a new unilateralism," which recognized that the United States was the only superpower and was so strong that it could decide what was right and expect others to follow because they had little choice. But this style turned out to be counterproductive. Insensitivity to style and the perception of others can undercut soft-power efforts. Obama faces a difficult international environment, but previous presidents have managed to employ hard, soft and smart power in equally difficult contexts. In 1970, during the Vietnam War, America was viewed as unattractive in many parts of the world, but with changed policies and the passage of time, the United States managed to recover its soft power. It can happen again.

### --- Warming

### Outweighs War

#### Warming turns war—

Harris ’4 (Paul, The Observer, Feb 22, <http://www.guardian.co.uk/environment/2004/feb/22/usnews.theobserver>)

**Climate change over the next 20 years could result in a global catastrophe costing millions of lives in wars and natural disasters..** A secret report, suppressed by US defence chiefs and obtained by The Observer, warns that major European cities will be sunk beneath rising seas as Britain is plunged into a 'Siberian' climate by 2020. **Nuclear conflict, mega-droughts, famine and widespread rioting will erupt across the world. The document predicts that abrupt climate change could bring the planet to the edge of anarchy as countries develop a nuclear threat to defend and secure dwindling food, water and energy supplies. The threat to global stability vastly eclipses that of terrorism, say the few experts privy to its contents.** 'Disruption and conflict will be endemic features of life,' concludes the Pentagon analysis. 'Once again, **warfare would define human life.**'

#### And it outweighs—

#### a. Certainty

Hanson et al ‘7 [J (Goddard Institute for Space Studies), “Dangerous human-made interference with climate,” http://www.atmos-chem-phys.net/7/2287/2007/acp-7-2287-2007.pdf]

These stark conclusions about the threat posed by global climate change and implications for fossil fuel use are not yet appreciated by essential governing bodies, as evidenced by ongoing plans to build coal-fired power plants without CO2 capture and sequestration. In our view, there is an acute need for science to inform society about the costs of failure to address global warming, because of a fundamental difference between the threat posed by climate change and most prior global threats. In the nuclear standoff between the Soviet Union and United States, a crisis could be precipitated only by action of one of the parties. In contrast, the present threat to the planet and civilization, with the United States and China now the principal players (though, as Fig. 10 shows, Europe also has a large responsibility), requires only inaction in the face of clear scientific evidence of the danger.

#### b. Magnitude

Hunter ‘3 [Bob, Foudner of Greenpeace, *Thermageddon: Countdown to 2030*, p. 58-9]

Even though, from the beginning, Rachel Carson had warned of worldwide chemical fallout patterns, the individuals who were most sensitive to her message believed (some still do) it must be possible to find a haven or refuge outside The System, somewhere beyond the reach of the thrashing tails of the dying urban dinosaurs. The back-to-the-land movement, with its flurry of communes being set up as close to the end of the road as possible, in remote valleys or on the shores of isolated bays, was a reenactment of the North American pioneer stage, embodying the same spirit of independence and naive faith in Utopia. A fantasy existed that even a nuclear war was survivable if you lived far enough away from any big cities and you had a supply of seeds, some solar panels, iodine pills, a gun, and a copy of The Whole Earth Catalogue. And it was true, should the nuclear exchange be limited, that it was just possible there would be survivors out in the bush and the countryside, somewhat unscathed. In the face of a truly drastic climate flip of the ecosystem, unfortunately, there ultimately will be no safe, remote places left anywhere. The Pacific Northwest's coniferous forests are expected to last longer than boreal forests, as rising temperatures turn the glacial moraine into a frying pan, but with climate itself affected, everything - everywhere - is affected. The skies and air and water of even Walden Pond are already degraded and slipping further. If the sudden global heating we have triggered does indeed activate an ice age, there will be no place in the entire northern hemisphere to hide. In the worst-case situation, a runaway greenhouse effect, there would be no place on Earth, period. The fantasy of escaping to an organic farm is no longer a reasonable, let alone viable, option. A better, more realistic hope, by the time my grandson is my age, will be to head out into space. Good luck making the final crew list, Dexter.

#### c. Reversibility

Dunpont ‘8 [Alan, Professor of International Security at U-Sydney, Jun, “The Strategic Implications of Climate Change,” Survival, Volume 50, Issue 3]

**War has customarily been considered the main threat to international security because of the large number of deaths it causes and the threat it poses to the functioning and survival of the state**. Judged by these criteria**, it is clear that climate change is potentially as detrimental to human life and economic and political order as traditional military threats**.57 **Environmental dangers, such as climate change**, stem not from competition between states or shifts in the balance of power; rather, they are human-induced disturbances to the fragile balance of nature. But the consequences of these disturbances **may be just as injurious to the integrity and functioning of the state and its people as those resulting from military conflict. They may also be more difficult to reverse or repair.**

### AT: CO2 Low

#### No it’s not

Begos ’12 (Kevin Begos, AP, Aug 17, 2012, “AP IMPACT: CO2 emissions in US drop to 20-year low”, <http://news.yahoo.com/ap-impact-co2-emissions-us-drop-20-low-174616030--finance.html>)

In a little-noticed technical report, the U.S. Energy Information Agency, a part of the Energy Department, said this month that energy related U.S. CO2 emissions for the first four months of this year fell to about 1992 levels. Energy emissions make up about 98 percent of the total. The Associated Press contacted environmental experts, scientists and utility companies and learned that virtually everyone believes the shift could have major long-term implications for U.S. energy policy. While conservation efforts, the lagging economy and greater use of renewable energy are factors in the CO2 decline, the drop-off is due mainly to low-priced natural gas, the agency said. A frenzy of shale gas drilling in the Northeast's Marcellus Shale and in Texas, Arkansas and Louisiana has caused the wholesale price of natural gas to plummet from $7 or $8 per unit to about $3 over the past four years, making it cheaper to burn than coal for a given amount of energy produced. As a result, utilities are relying more than ever on gas-fired generating plants. Both government and industry experts said the biggest surprise is how quickly the electric industry turned away from coal. In 2005, coal was used to produce about half of all the electricity generated in the U.S. The Energy Information Agency said that fell to 34 percent in March, the lowest level since it began keeping records nearly 40 years ago. The question is whether the shift is just one bright spot in a big, gloomy picture, or a potentially larger trend. Coal and energy use are still growing rapidly in other countries, particularly China, and CO2 levels globally are rising, not falling. Moreover, changes in the marketplace — a boom in the economy, a fall in coal prices, a rise in natural gas — could stall or even reverse the shift. For example, U.S. emissions fell in 2008 and 2009, then rose in 2010 before falling again last year. Also, while natural gas burns cleaner than coal, it still emits some CO2. And drilling has its own environmental consequences, which are not yet fully understood. "Natural gas is not a long-term solution to the CO2 problem," Pielke warned. The International Energy Agency said the U.S. has cut carbon dioxide emissions more than any other country over the last six years. Total U.S. carbon emissions from energy consumption peaked at about 6 billion metric tons in 2007. Projections for this year are around 5.2 billion, and the 1990 figure was about 5 billion. China's emissions were estimated to be about 9 billion tons in 2011, accounting for about 29 percent of the global total. The U.S. accounted for approximately 16 percent. Mann called it "ironic" that the shift from coal to gas has helped bring the U.S. closer to meeting some of the greenhouse gas targets in the 1997 Kyoto treaty on global warming, which the United States never ratified. On the other hand, leaks of methane from natural gas wells could be pushing the U.S. over the Kyoto target for that gas.

### AT: CO2 Ag

#### CO2 will hurt plants—many warrants

Villabolo ’11(contributor to skeptical science, website run by John Cook, Climate Communication Fellow for the Global Change Institute at the University of Queensland, citing a variety of peer reviewed papers, “CO2 is plant food,” 7/14/11) <http://www.skepticalscience.com/co2-plant-food.htm>

More Carbon Dioxide in the atmosphere is not necessarily good for plants. An argument, made by those who deny man made Global Warming, is that the Carbon Dioxide that is being released by the burning of fossil fuels is actually good for the environment. Their argument is based on the logic that, if plants need CO2 for their growth, then more of it should be better. We should expect our crops to become more abundant and our flowers to grow taller and bloom brighter. However, this "more is better" philosophy is not the way things work in the real world. There is an older, wiser saying that goes, "Too much of a good thing can be a bad thing." For example, if a doctor tells you to take one pill of a certain medicine, taking four is not likely to heal you four times faster or make you four times better. It's more likely to make you sick. It is possible to help increase the growth of some plants with extra CO2, under controlled conditions, inside of greenhouses. It is based on this that 'skeptics' make their claims. However, such claims are simplistic. They fail to take into account that once you increase one substance that plants need, you automatically increase their requirements for other substances. It also fails to take into account that a warmer earth will have an increase in deserts and other arid lands which would reduce the are available for crops. Plants cannot live on CO2 alone. They get their bulk from more solid substances like water and organic matter. This organic matter comes from decomposing plants and animals or from man made fertilizers. It is a simple task to increase water and fertilizer and protect against insects in an enclosed greenhouse but what about doing it in the open air, throughout the entire Earth? What would be the effects of an increase of CO2 on agriculture and plant growth in general? The following points make it clear. 1. CO2 enhanced plants will need extra water both to maintain their larger growth as well as to compensate for greater moisture evaporation as the heat increases. Where will it come from? Rainwater is not sufficient for current agriculture and the aquifers they rely on are running dry throughout the Earth (1, 2). On the other hand, as predicted by Global Warming, we are receiving intense storms with increased rain throughout of the world. One would think that this should be good for agriculture. Unfortunately, when rain falls down very quickly, it does not have time to soak into the ground. Instead, it builds up above the soil then starts flowing to the lowest level. It then quickly floods into creeks, then rivers, and finally out into the ocean carrying off large amounts of soil and fertilizer. 2. Unlike Nature, our way of agriculture does not self fertilize by recycling all dead plants, animals and their waste. Instead we have to be constantly producing artificial fertilizers from natural gas which will eventually start running out. By increasing the need for such fertilizer you will shorten the supply of natural gas creating competition between the heating of our homes and the growing of our food. This will drive the prices of both up. 3. Too high a concentration of CO2 causes a reduction of photosynthesis in certain of plants. There is also evidence from the past of major damage to a wide variety of plants species from a sudden rise in CO2 (See illustrations below). Higher concentrations of CO2 also reduce the nutritional quality of some staples, such as wheat. 4. The worse problem, by far, is that increasing CO2 will increase temperatures throughout the Earth. This will make deserts and other types of dry land grow. While deserts increase in size, other eco-zones, whether tropical, forest or grassland will try to migrate towards the poles. However, soil conditions will not necessarily favor their growth even at optimum temperatures. 5. When plants do benefit from increased Carbon Dioxide, it is only in enclosed areas, strictly isolated from insects. However, when the growth of Soybeans is boosted out in the open, it creates major changes in its chemistry that makes it more vulnerable to insects, as the illustration below shows. Figure 1: Plant defenses go down as carbon dioxide levels go up, the researchers found. Soybeans grown at elevated CO2 levels attract many more adult Japanese beetles than plants grown at current atmospheric carbon dioxide levels. Science Daily; March 25, 2008. (Credit: Photo courtesy of Evan Delucia) Figure 2: More than 55 million years ago, the Earth experienced a rapid jump in global Carbon Dioxide levels that raised temperatures across the planet. Now, researchers studying plants from that time have found that the rising temperatures may have boosted the foraging of insects. As modern temperatures continue to rise, the researchers believe the planet could see increasing crop damage and forest devastation. Science Daily; Feb. 15, 2008. Figure 3: Global Warming reduces plant productivity. As Carbon Dioxide increases, vegetation in Northern Latitudes also increases. However, this does not compensate for decreases of vegetation in Southern Latitudes. The overall amount of vegetation worldwide declines In conclusion, it would be reckless to keep adding CO2 to the atmosphere. Assuming there are any positive impacts on agriculture in the short term, they will be overwhelmed by the negative impacts of climate change. It will simply increase the size of deserts and decrease the amount of arable land. It will also increase the requirements for water and soil fertility as well as plant damage from insects. Increasing CO2 levels would only be beneficial inside of highly controlled, enclosed spaces like greenhouses.

#### Even a small rise in global temperature would lead to mass starvation despite CO2 fertilization—the result is extinction

Strom 7 **–**Professor Emeritus of planetary sciences in the Department of Planetary Sciences at the University of Arizona, 2007

(studied climate change for 15 years, the former Director of the Space Imagery Center, a NASA Regional Planetary Image Facility, Robert, “Hot House”, SpringerLink, p. 211-216)

THE future consequences of global warming are the least known aspect of the problem. They are based on highly complex computer models that rely on inputs that are sometimes not well known or factors that may be completely unforeseen. Most models assume certain scenarios concerning the rise in greenhouse gases. Some assume that we continue to release them at the current rate of increase while others assume that we curtail greenhouse gas release to one degree or another. Furthermore, we are in completely unknown territory. **The current greenhouse gas content of the atmosphere has not been as high in at least the past 650,000 years, and the rise in temperature has not been as rapid since civilization began some 10,000 years ago**. What lies ahead for us is not completely understood, but it certainly will not be good, and it could be catastrophic. We know that relatively minor climatic events have had strong adverse effects on humanity, and some of these were mentioned in previous chapters. A recent example is the strong El Nin~o event of 1997-1998 that caused weather damage around the world totaling $100 billion: major flooding events in China, massive fires in Borneo and the Amazon jungle, and extreme drought in Mexico and Central America. That event was nothing compared to what lies in store for us in the future if we do nothing to curb global warming. We currently face the greatest threat to humanity since civilization began. This is the crucial, central question, but it is very difficult to answer (Mastrandea and Schneider, 2004). An even more important question is: "At what temperature and environmental conditions is a threshold crossed that leads to an abrupt and catastrophic climate change?'' It is not possible to answer that question now, but we must be aware that in our ignorance it could happen in the not too distant future. At least the question of a critical temperature is possible to estimate from studies in the current science literature. This has been done by the Potsdam Institute for Climate Impact Research, Germany's leading climate change research institute (Hare, 2005). According to this study, global warming impacts multiply and accelerate rapidly as the average global temperature rises. We are certainly beginning to see that now. According to the study, as the average global temperature anomaly rises to 1 °C within the next 25 years (it is already 0.6'C in the Northern Hemisphere), some specialized ecosystems become very stressed, and **in some developing countries food production will begin a serious decline**, water shortage problems will worsen, and there will be net losses in the gross domestic product (GDP). At least one study finds that because of the time lags between changes in radiative forcing we are in for a 1 °C increase before equilibrating even if the radiative forcing is fixed at today's level (Wetherald et al., 2001). It is apparently when the temperature anomaly reaches 2 °C that serious effects will start to come rapidly and with brute force (International Climate Change Taskforce, 2005). At the current rate of increase this is expected to happen sometime in the middle of this century. At that point there is nothing to do but try to adapt to the changes. Besides the loss of animal and plant species and the rapid exacerbation of our present problems, there are likely to be large numbers of hungry, diseased and starving people, and at least 1.5 billion people facing severe water shortages. GDP losses will be significant and the spread of diseases will be widespread (see below). We are only about 30 years away from the 440 ppm CO2 level where the eventual 2'C global average temperature is probable. When the temperature reaches 3 'C above today's level, the effects appear to become absolutely critical. At the current rate of greenhouse gas emission, that point is expected to be reached in the second half of the century. For example, it is expected that the Amazon rainforest will become irreversibly damaged leading to its collapse, and that the complete destruction of coral reefs will be widespread. As these things are already happening, this picture may be optimistic. As for humans, **there will be widespread hunger and starvation with up to 5.5 billion people living in regions with large crop losses and another 3 billion people with serious water shortages**. If the Amazon rainforest collapses due to severe drought it would result in decreased uptake of CO2 from the soil and vegetation of about 270 billion tons, resulting in an enormous increase in the atmospheric level of CO2. This, of course, would lead to even hotter temperatures with catastrophic results for civilization. A Regional Climate Change Index has been established that estimates the impact of global warming on various regions of the world (Giorgi, 2006). The index is based on four variables that include changes in surface temperature and precipitation in 2080-2099 compared to the period 1960-1979. All regions of the world are affected significantly, but some regions are much more vulnerable than others. The biggest impacts occur in the Mediterranean and northeastern European regions, followed by high-latitude Northern Hemisphere regions and Central America. Central America is the most affected tropical region followed by southern equatorial Africa and southeast Asia. Other prominent mid-latitude regions very vulnerable to global warming are eastern North America and central Asia. It is entirely obvious that we must start curtailing greenhouse gas emissions now, not 5 or 10 or 20 years from now. Keeping the global average temperature anomaly under 2'C will not be easy according to a recent report (Scientific Expert Group Report on Climate Change, 2007). It will require a rapid worldwide reduction in methane, and global CO2 emissions must level off to a concentration not much greater than the present amount by about 2020. Emissions would then have to decline to about a third of that level by 2100. Delaying action will only insure a grim future for our children and grandchildren. If the current generation does not drastically reduce its greenhouse gas emission, then, unfortunately, our grandchildren will get what we deserve. There are three consequences that have not been discussed in previous chapters but could have devastating impacts on humans: food production, health, and the economy. In a sense, all of these topics are interrelated, because they affect each other. Food Production **Agriculture is critical to the survival of civilization. Crops feed not only us but also the domestic animals we use for food. Any disruption in food production means a disruption of the economy, government, and health. The increase in CO2 will result in some growth of crops, and rising temperatures will open new areas to crop production at higher latitudes and over longer growing seasons; however, the overall result will be decreased crop production in most parts of the world. A** 1993 **study of the effects of a doubling of CO2** (550 ppm) above pre-industrial levels **shows that there will be substantial decreases in the world food supply** (Rosenzweig et al., 1993). In their research they studied the effects of global warming on **four crops (wheat, rice, protein feed, and coarse grain) using four scenarios involving various adaptations of crops to temperature change and CO2 abundance**. They found that the amount of world food reduction ranged from 1 to 27%. However, the optimistic value of 1% is almost certainly much too low, because it assumed that the amount of degradation would be offset by more growth from "CO2 fertilization." We now know that this is not the case, as explained below and in Chapter 7. **The most probable value is a worldwide food reduction between 16 and 27%**. These scenarios are based on temperature and CO2 rises that may be too low, as discussed in Chapter 7. However, **even a decrease in world food production of 16% would lead to large-scale starvation in many regions of the world**. Large-scale experiments called Free-Air Concentration Enrichment have shown that the effects of higher CO2 levels on crop growth is about 50% less than experiments in enclosure studies (Long et al., 2006). This shows that the projections that conclude that rising CO2 will fully offset the losses due to higher temperatures are wrong. The downside of climate change will far outweigh the benefits of increased CO2 and longer growing seasons. One researcher (Prof. Long) from the University of Illinois put it this way: Growing crops much closer to real conditions has shown that increased levels of carbon dioxide in the atmosphere will have roughly half the beneficial effects previously hoped for in the event of climate change. In addition, ground-level ozone, which is also predicted to rise but has not been extensively studied before, has been shown to result in a loss of photosynthesis and 20 per cent reduction in crop yield. Both these results show that we need to seriously re-examine our predictions for future global food production, as they are likely to be far lower than previously estimated. Also, studies in Britain and Denmark show that **only a few days of hot temperatures can severely reduce the yield of major food crops such as wheat, soy beans, rice, and groundnuts if they coincide with the flowering of these crops**. This suggests that there are certain thresholds above which crops become very vulnerable to climate change. The European heat wave in the summer of 2003 provided a large-scale experiment on the behavior of crops to increased temperatures. Scientists from several European research institutes and universities found that the growth of plants during the heat wave was reduced by nearly a third (Ciais et al., 2005). In Italy, the growth of corn dropped by about 36% while oak and pine had a growth reduction of 30%. In the affected areas of the midwest and California the summer heat wave of 2006 resulted in a 35% loss of crops, and in California a 15% decline in dairy production due to the heat-caused death of dairy cattle. It has been projected that a 2 °C rise in local temperature will result in a $92 million loss to agriculture in the Yakima Valley of Washington due to the reduction of the snow pack. A 4'C increase will result in a loss of about $163 million. For the first time, the world's grain harvests have fallen below the consumption level for the past four years according to the Earth Policy Institute (Brown, 2003). Furthermore, the shortfall in grain production increased each year, from 16 million tons in 2000 to 93 million tons in 2003. These studies were done in industrialized nations where agricultural practices are the best in the world. **In developing nations** the impact will be much more severe. It is here that **the impact of global warming on crops and domestic animals will be most felt. In general, the world's most crucial staple food crops could fall by as much as one-third because of resistance to flowering and setting of seeds due to rising temperatures. Crop ecologists believe that many crops grown in the tropics are** near, or **at, their thermal limits**. Already **research** in the Philippines **has linked higher night-time temperatures to a reduction in rice yield. It is estimated that for rice, wheat, and corn, the grain yields are likely to decline by 10% for every local 1 °C increase in temperature. With a decreasing availability of food, malnutrition will become more frequent accompanied by damage to the immune system. This will result in a greater susceptibility to spreading diseases**. For an extreme rise in global temperature (> 6 'C), it is likely that **worldwide crop failures will lead to mass starvation, and political and economic chaos with all their ramifications for civilization**.

### AT: Ice Age

#### Cooling isn’t about to happen – no signs and no forcings

Nuccitelli ’11(Dana Nuccitelli, environmental scientist at a private environmental consulting firm in the Sacramento, California area. He has a Bachelor's Degree in astrophysics from the University of California at Berkeley, and a Master's Degree in physics from the University of California at Davis, “Are we heading into global cooling?” 1/4/11) <http://www.skepticalscience.com/future-global-cooling.htm>

Claims have recently surfaced in the blogosphere that an increasing number of scientists are warning of an imminent global cooling, some even going so far as to call it a "growing consensus". There are two major flaws in these blog articles, (i) there is no scientific basis for claims that the planet will begin to cool in the near future, and (ii) many of the listed scientists are not predicting global cooling. In the face of the immense amount of evidence that the anthropogenic warming signal is driving the long-term temperature trend, it's hard to believe that any scientists would be predicting that this trend will suddenly reverse despite ever-increasing human greenhouse gas emissions. For example, according to NASA GISS, 2009 was tied for the second-hottest year on record, and 2010 will likely be the hottest in the past 130+ years. The first decade of the 21st century was the hottest decade on record, the evidence is overwhelming that humans are the dominant cause of the warming trend, climate scientists have even quantified the anthropogenic warming, and heat continues to accumulate in the planetary system: Figure 1: Build-up in total Earth Heat Content since 1950. The data comes from Figure 6b in Murphy 2009. The ocean data was taken from Domingues et al. 2008 With all of this evidence that humans are causing rapid global warming with no end in sight, one has to wonder how on Earth any scientists would suddenly predict imminent global cooling. Who Are these Scientists Predicting Cooling? Some of the names on the lists of 'scientists predicting global cooling' have been predicting imminent cooling for years now, like Don Easterbrook, Syun Akasofu, Habibullo Abdussamatov, Joe D'Aleo, and Nicola Scafetta. Many of these and other names on these lists are not climate scientists, which is no doubt why the claims specify that an increasing number of scientists as opposed to climate scientists are predicting imminent cooling. One also has to wonder how long the planet must continue to warm while these individuals predict imminent cooling before they lose credibility. Don Easterbrook, for example, has predicted that we should see a global cooling of 2 to 5°F (1.1 to 2.8°C) from 2000 to 2030 based on a shift in the Pacific Decadal Oscillation. We're now one-third of the way into this supposed cooling period and the planet has warmed approximately 0.1°C. The accuracy of this prediction is not looking good. Several other listed scientists have predicted that we should expect global cooling due to solar effects, like Scafetta, Abdussamatov, Landscheidt, Archibald, and D'Aleo. However, consider the fact that the longest solar cycle minimum in a nearly century just ended, and as mentioned above, the past two years have been among the hottest in the instrumental temperature record. Solar activity has been flat for the past 50 years, and yet the planet warmed approximately 0.6°C during that period. And now we're expected to believe that solar activity is not only going to significantly dampen the anthropogenic warming signal, but cause substantial cooling? These claims strain credulity. Perhaps the worst part of these lists of 'scientists predicting global cooling' is that they attribute global cooling predictions to numerous scientists who have not made such claims. Let's look at some of the names on these lists.

#### Warming causes a rapid Ice Age by stopping the thermohaline circulation – that collapses civilization

Hartmann 4 **–** Ph.D. from Brantridge in England [Dr. Thom , “How Global Warming May Cause the Next Ice Age...,” adapted from the new, updated edition of *The Last Hours of Ancient Sunlight*, by Thom Hartmann from Random House/Three Rivers Press, Jan 30 http://www.commondreams.org/views04/0130-11.htm]

**Research shows that a new ice age is not as unlikely as previously thought**. Even worse, there could be as little as two to three years' warning. While global warming is being officially ignored by the political arm of the Bush administration, and Al Gore's recent conference on the topic during one of the coldest days of recent years provided joke fodder for conservative talk show hosts, the citizens of Europe and **the Pentagon are taking a new look at the greatest danger** such **climate change could produce** for the northern hemisphere -- **a sudden shift into a new ice** age. What they're finding is not at all comforting. In quick summary, **if enough cold, fresh water coming from the melting polar ice caps and** the melting **glaciers of Greenland flows into the northern Atlantic, it will shut down the Gulf Stream**, which keeps Europe and northeastern North America warm. **The** worst-case **scenario would be a full-blown return of the last ice age -- in a period as short as 2 to 3 years from its onset** -- and the mid-case scenario would be a period like the "little ice age" of a few centuries ago that disrupted worldwide weather patterns leading to extremely harsh winters, droughts, worldwide desertification, crop failures, and wars around the world. Here's how it works. If you look at a globe, you'll see that the latitude of much of Europe and Scandinavia is the same as that of Alaska and permafrost-locked parts of northern Canada and central Siberia. Yet Europe has a climate more similar to that of the United States than northern Canada or Siberia. Why? It turns out that our warmth is the result of ocean currents that bring warm surface water up from the equator into northern regions that would otherwise be so cold that even in summer they'd be covered with ice. **The current of greatest concern is often referred to as "The Great Conveyor Belt," which includes what we call the Gulf Stream**. **The Great Conveyor Belt**, while shaped by the Coriolis effect of the Earth's rotation, **is mostly driven by** the greater force created by **differences in water temperatures and salinity**. The North Atlantic Ocean is saltier and colder than the Pacific, the result of it being so much smaller and locked into place by the Northern and Southern American Hemispheres on the west and Europe and Africa on the east. As a result, the warm water of the Great Conveyor Belt evaporates out of the North Atlantic leaving behind saltier waters, and the cold continental winds off the northern parts of North America cool the waters. Salty, cool waters settle to the bottom of the sea, most at a point a few hundred kilometers south of the southern tip of Greenland, producing a whirlpool of falling water that's 5 to 10 miles across. While the whirlpool rarely breaks the surface, during certain times of year it does produce an indentation and current in the ocean that can tilt ships and be seen from space (and may be what we see on the maps of ancient mariners). This falling column of cold, salt-laden water pours itself to the bottom of the Atlantic, where it forms an undersea river forty times larger than all the rivers on land combined, flowing south down to and around the southern tip of Africa, where it finally reaches the Pacific. Amazingly, the water is so deep and so dense (because of its cold and salinity) that it often doesn't surface in the Pacific for as much as a thousand years after it first sank in the North Atlantic off the coast of Greenland. The out-flowing undersea river of cold, salty water makes the level of the Atlantic slightly lower than that of the Pacific, drawing in a strong surface current of warm, fresher water from the Pacific to replace the outflow of the undersea river. This warmer, fresher water slides up through the South Atlantic, loops around North America where it's known as the Gulf Stream, and ends up off the coast of Europe. By the time it arrives near Greenland, it has cooled off and evaporated enough water to become cold and salty and sink to the ocean floor, providing a continuous feed for that deep-sea river flowing to the Pacific. These two flows -- warm, fresher water in from the Pacific, which then grows salty and cools and sinks to form an exiting deep sea river -- are known as the Great Conveyor Belt. Amazingly, **the Great Conveyor Belt is the only thing between comfortable summers and a permanent ice age** for Europe and the eastern coast of North America. Much of this science was unknown as recently as twenty years ago. Then **an international group of scientists went to Greenland and used newly developed drilling and sensing equipment to drill into some of the world's most ancient accessible glaciers.** Their instruments were so sensitive that **when they analyzed the ice core samples** they brought up, they were able to look at individual years of snow. The results were shocking. Prior to the last decades, it was thought that the periods between glaciations and warmer times in North America, Europe, and North Asia were gradual. We knew from the fossil record that the Great Ice Age period began a few million years ago, and during those years there were times where for hundreds or thousands of years North America, Europe, and Siberia were covered with thick sheets of ice year-round. In between these icy times, there were periods when the glaciers thawed, bare land was exposed, forests grew, and land animals (including early humans) moved into these northern regions. Most scientists figured the transition time from icy to warm was gradual, lasting dozens to hundreds of years, and nobody was sure exactly what had caused it. (Variations in solar radiation were suspected, as were volcanic activity, along with early theories about the Great Conveyor Belt, which, until recently, was a poorly understood phenomenon.) Looking at the ice cores, however, **scientists were shocked to discover that the transitions from ice age-like weather to contemporary-type weather usually took only two or three years**. Something was flipping the weather of the planet back and forth with a rapidity that was startling. It turns out that the ice age versus temperate weather patterns weren't part of a smooth and linear process, like a dimmer slider for an overhead light bulb. They are part of a delicately balanced teeter-totter, which can exist in one state or the other, but transits through the middle stage almost overnight. They more resemble a light switch, which is off as you gradually and slowly lift it, until it hits a mid-point threshold or "breakover point" where suddenly the state is flipped from off to on and the light comes on. It appears that small (less that .1 percent) variations in solar energy happen in roughly 1500-year cycles. This cycle, for example, is what brought us the "Little Ice Age" that started around the year 1400 and dramatically cooled North America and Europe (we're now in the warming phase, recovering from that). When the ice in the Arctic Ocean is frozen solid and locked up, and the glaciers on Greenland are relatively stable, this variation warms and cools the Earth in a very small way, but doesn't affect the operation of the Great Conveyor Belt that brings moderating warm water into the North Atlantic. In millennia past, however, before the Arctic totally froze and locked up, and before some critical threshold amount of fresh water was locked up in the Greenland and other glaciers, these 1500-year variations in solar energy didn't just slightly warm up or cool down the weather for the land masses bracketing the North Atlantic. They flipped on and off periods of total glaciation and periods of temperate weather. And these changes came suddenly. For early humans living in Europe 30,000 years ago - when the cave paintings in France were produced -- the weather would be pretty much like it is today for well over a thousand years, giving people a chance to build culture to the point where they could produce art and reach across large territories. And then a particularly hard winter would hit. The spring would come late, and summer would never seem to really arrive, with the winter snows appearing as early as September. The next winter would be brutally cold, and the next spring didn't happen at all, with above-freezing temperatures only being reached for a few days during August and the snow never completely melting. After that, the summer never returned: for 1500 years the snow simply accumulated and accumulated, deeper and deeper, as the continent came to be covered with glaciers and humans either fled or died out. (Neanderthals, who dominated Europe until the end of these cycles, appear to have been better adapted to cold weather than Homo sapiens.) What brought on this sudden "disappearance of summer" period was that the warm-water currents of the Great Conveyor Belt had shut down. **Once the Gulf Stream was no longer flowing, it only took a year or three for the last of the residual heat held in the North Atlantic Ocean to dissipate into the air over Europe, and then there was no more warmth to moderate the northern latitudes.** When the summer stopped in the north, the rains stopped around the equator: At the same time Europe was plunged into an Ice Age, the Middle East and Africa were ravaged by drought and wind-driven firestorms. **If the Great Conveyor Belt, which includes the Gulf Stream, were to stop flowing today, the result would be sudden and dramatic. Winter would set in for** the eastern half of **North America and all of Europe** and Siberia, **and never go away. Within three years, those regions would become uninhabitable and nearly two billion humans would starve, freeze to death**, or have to relocate. **Civilization** as we know it probably **couldn't withstand the impact of such a crushing blow**. And, incredibly, the Great Conveyor Belt has hesitated a few times in the past decade. As William H. Calvin points out in one of the best books available on this topic ("A Brain For All Seasons: human evolution & abrupt climate change"): "The abrupt cooling in the last warm period shows that a flip can occur in situations much like the present one. What could possibly halt the salt-conveyor belt that brings tropical heat so much farther north and limits the formation of ice sheets? Oceanographers are busy studying present-day failures of annual flushing, which give some perspective on the catastrophic failures of the past. In the Labrador Sea, flushing failed during the 1970s, was strong again by 1990, and is now declining. In the Greenland Sea over the 1980s salt sinking declined by 80 percent. Obviously, local failures can occur without catastrophe -- it's a question of how often and how widespread the failures are -- but the present state of decline is not very reassuring." **Most scientists involved in research on this topic agree that the culprit is global warming, melting the icebergs on Greenland and the Arctic icepack and thus flushing cold, fresh water down into the Greenland Sea** from the north. **When a critical threshold is reached, the climate will suddenly switch to an ice age** that could last minimally 700 or so years, and maximally over 100,000 years. And when might that threshold be reached? Nobody knows -- the action of the Great Conveyor Belt in defining ice ages was discovered only in the last decade. Preliminary computer models and scientists willing to speculate suggest the switch could flip as early as next year, or it may be generations from now. It may be wobbling right now, producing the extremes of weather we've seen in the past few years. **What's** almost **certain is that if nothing is done about global warming, it will happen sooner rather than later**.

#### Externally—Shutting down the thermohaline circulation causes mass extinction

Ward 8 **–** professor of geological sciences at University of Washington [Peter, Under a Green Sky: Global Warming, the Mass Extinctions of the Past, and What They Tell Us About Our Future, p. 152-153]

What of our second question: **Is the conveyer changing in some way today? The answer to that very important question is still unknown, but early data suggest a very scary yes. For the first time in our time, a research group has reported what it claims is a slowing of the most important of the Atlantic currents, probably due to massive amounts of fresh water entering the sea in northern areas because of the rapid melting of the northern ice cap. This report, published in 2006, is the first overt link to massive volumes of fresh water; coming from melting Arctic ice and its effect on the conveyer. Many scientists**, including Richard Alley, in his now classic and important 2000 book, The Two-Mile Time Machine, **regard the Atlantic conveyer current system as very finely balanced and hence very susceptible to change. The easiest way to cause this change, according to sophisticated computer models, is to pump in fresh water into the northern part of the system. The truly staggering-and just now realized—melting of Arctic ice, a story not even noticed prior to about 2003, is pumping in massive volumes of fresh water at the most dangerous place for the integrity of the conveyer**. We may be seeing the start of a changeover that has now been recognized as having happened repeatedly up to 8,000 years ago, and then stopped. **The conveyer system in its present configuration has** thus **been stable for a significant amount of the time that humans have had agriculture, and this stability has allowed both predictability of crop yields in Europe and Asia, as well as the biologically more important stability of ecosystems. Ecologists have long known that organismal diversity rises with stability. It is rapid change that leads to loss of biomass as well as biodiversity, with the end-point being mass extinction itself.**

## Systemic Violence

### AT: Don’t Solve Culture

#### 1. Try or die—they concede terminal uniqueness—gun culture recreates innumerable cycles of oppression—only the aff has a risk of solvency

#### 2. Cross-apply Lafollete 2k—has empirical support—gun bans created a cultural shift in Australia

#### 3. Yes solve—guns are a uniquely key symbol—removing them is net better

### AT: Women Need Guns

#### 1. There are many ways women can protect themselves without handguns—a handgun ban reduces the chance that their aggressors are armed

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

The case for allowing women to own handguns, then, hinges on their role as an "equalizer" to compensate for men's superior strength. I do not dispute that they are sometimes sufficient for doing so. My point is that they are not necessary, since there are alternative ways to protect women."' With regard to current or former husbands or boyfriends who threaten violence, restraining orders and police protection can make a difference, though the latter will require substantial public funding. Changing locks, and installing secure doors and burglar alarms can make homes more secure. Martial arts and other forms of unarmed self-defense can be highly effective against an assailant without a firearm, yet these options are dismissed summarily by Silver and Kates, on the grounds that guns are (1) "less arduous," and (2) more effective.' Few xould dispute that guns are more effective; but if unarmed self-defense is sufficiently effective in warding off attacks, using a more lethal method of defense would be gratuitous violence. Nor need we confine our attention to unarmed resistance. Mace is a very effective weapon which can be used to immobilize an assailant, without causing serious injury. It also has the advantages of being even easier to conceal and use than a handgun, and of being far less likely than handguns to be used in the commission of crimes. Being neither lethal nor capable of causing permanent injuries, it will be less effective in intimidating victims into submission. Against the 10% or so of women's assailants who do carry firearms, mace would be less effective, but it has to be realized that handguns are also of less use against an assailant with firearms. Moreover, my proposed handgun ban would make it less likely that he would be armed in the first place. In contrast, a likely result of women carrying handguns is the same proliferation described in the previous section: more of their assailants would carry guns, in order to ensure the success of their attack.

#### 2. Most women don’t own handguns—the aff outweighs

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Let us concede for the sake of argument that the combination of all of the alternative methods of self-defense that I have proposed would still be marginally less effective than handguns in protecting women against violence in the 10% or so of assaults that involve firearms. The inference to the conclusion that a handgun ban would decrease protection for women results from a comparison between a world in which handguns are banned, and an imaginary world in which most women arm themselves with handguns. In the actual world women may now legally own handguns, but the vast majority choose not to do so. The relevant comparison is between the actual world, in which handguns are used in hundreds of thousands of violent crimes every year, yet in which few women own handguns; and, on the other hand, a world in which a handgun ban substantially reduced the number of handguns owned by both women and their potential assaulters. Whatever protection would be lost by disarming the small number of women who currently own handguns is outweighed by the reduction in violence against women that would be effected by a handgun ban, which would take one of the most potent weapons out of the hands of many potential assaulters. It is true that 50% of those who own guns solely for defense are female.' However, far more men than women own guns." Given women's extra vulnerability, and the fact that there are now many more female-headed households than in the mid-sixties, one would expect more women to own guns. In fact, a Harris poll showed that gun ownership in female-headed households was less than a half of that in homes in which an adult male lived. 35 The indications are that women themselves, whatever their extra vulnerability may be, are generally unconvinced of the need to own handguns for self-defense. The alleged protection for women resulting from the defensive ownership of handguns, then, falls to provide a serious objection to a handgun ban. In contrast, throughout my paper I have detailed the substantial reduction in murder and violent crime that is likely to result from a handgun ban. Women, too, are the beneficiaries in a society in which far fewer of their loved ones are killed and maimed.

## Gun Culture

### AT: Laws Don’t Solve

#### Laws can affect culture – Civil Rights Movement proves

Masket ’15 (Seth, “You Can Change Laws Without Changing Hearts and Minds,” 10/5/15 http://www.psmag.com/politics-and-law/you-can-change-laws-without-changing-hearts-and-minds)

In the wake of yet another mass shooting, a rather familiar public debate is playing out. **Liberals are calling for restrictions on access to weapons. President Obama, in one of the better examples of the inherent weaknesses of the presidency, gave a statement that gun laws are needed but he knows full well that Congress will never pass them and there's not a damned thing he can do to about it.** Meanwhile, many of those opposed to gun regulations cited the usual issues. For one, they noted, mass shootings are almost invariably perpetrated by the mentally ill, so we should do a better job caring for or monitoring the mentally ill. But as many others have noted, raising this issue is a dodge. Mental illness is a very serious issue in this country, but no more so than it is in others that have far, far fewer gun-related deaths each year. Besides, even if most shootings are done by the mentally ill, that does not mean that most mentally ill people are prone to violence. We could just as accurately note that mass shootings are almost invariably perpetrated by white men, but singling them out as potential criminals is as morally abhorrent as it is impractical. But another issue frequently raised is that **gun culture runs deep in our nation**. America, that is, has a fiercely individualistic culture and access to firearms is a part of that, dating back to the nation's founding and earlier. Gun violence is a deeply complex and intractable issue in the United States that is rooted in region, faith, race, poverty, and family. You can't just change the laws without changing our hearts and minds first. Let's not assume that an issue is untouchable because it's complex or has deep cultural roots. So does every social issue. To hear this reminds me of a fascinating and surprisingly revealing recent exchange between Hillary Clinton and activists from the Black Lives Matter movement. Wary of her support for their movement, activists asked Clinton on what issues she had changed in her heart that had brought her around. "I don’t believe you change hearts," Clinton responded. "I believe you change laws, you change allocation of resources, you change the way systems operate." Clinton's response, while perhaps harsh, was basically correct. Actually changing the political culture can take decades, or it may never even happen. It's not even clear how one does it or how we would measure it. **But** **laws can be changed**. We saw this **during the Civil Rights Movement**, when activists pursued **a** decade-long **strategy to pressure elected officials and challenge existing laws in courts to** do things like **end segregation** in public schools and public transportation **and secure voting rights.** Yes, **civil rights leaders** also sought to **persuade the public and change the culture,** but majorities of whites thought those activists were pushing too fast even at the height of their political influence. **Southern white culture did eventually change,** but **it followed, rather than preceded, the change in the law**. **We have seen changes in laws affecting same-sex couples, abortion, poverty, health insurance—all issues with deep and complicated political and cultural histories. Those changes came because groups advocated for them and pressured the judicial, legislative, and executive branches to respond.** In some cases, **the culture shifted to reflect the legal change**. In other cases, the culture never changed, but the law did. We should also consider the example of Australia, which swiftly passed tight gun controls and a massive gun buyback program in the wake of a 1996 mass shooting in Tasmania. It would be difficult to argue that Australians' individualistic culture changed overnight, but the law did. And firearms deaths have dropped dramatically there. None of this is to say that changing gun laws would be easy in America. It wouldn't. Unfettered access to firearms has become one of the defining tenets of the party currently controlling the Congress. Unless party control changes or that tenet is strongly challenged within the party, there will be little movement on this issue at the federal level. But **let's not assume that an issue is untouchable because it's complex or has deep cultural roots. So does every social issue. Some have seen legal changes anyway, and** some of those changes have **done the country a great deal of good**.

### AT: Other Guns

#### Handguns are key

Volokh ’9 summarizes (Eugene, prof @ UCLA, “IMPLEMENTING THE RIGHT TO KEEP AND BEAR ARMS FOR SELF-DEFENSE: AN ANALYTICAL FRAMEWORK AND A RESEARCH AGENDA”, UCLA LAW REVIEW 1443, 2009)

And the Court’s explanation of why the handgun ban is unconstitutional even if long guns are allowed is likewise consistent with an inquiry into how substantially a law burdens the right to bear arms: It is no answer to say, as petitioners do, that it is permissible to ban the possession of handguns so long as the possession of other firearms (i.e., long guns) is allowed. It is enough to note, as we have observed, that **the American people have considered the handgun to be the** quintessential **self-defense weapon**. **There are many reasons that a citizen may prefer a handgun** for home defense: **It is** easier to store **in a location that is** readily accessible **in an emergency; it** cannot easily be redirected or wrestled away **by an attacker; it is** easier to use **for those without the upper-body strength to** lift and aim **a long gun; it can be pointed at a burglar with one hand while the other hand dials the police.** Whatever the reason, **handguns are the** most popular weapon chosen by Americans **for self-defense** in the home, and a complete prohibition of their use is invalid.49¶ The Court is pointing out that handguns are popular for a reason: For many people, they are the optimal self-defense tool, and bans on handguns make self-defense materially more difficult. The handgun ban, then, is a material burden on the right to bear arms in self-defense.

### New Giroux

#### Handguns are made to kill – their violence is linked to the broader military-industrial complex and this country’s hatred of minorities

Giroux 1/10 (Henry, prof @ McMaster, “Gun Culture and the American Nightmare of Violence,” 10 January 2016, http://www.truth-out.org/news/item/34349-gun-culture-and-the-american-nightmare-of-violence)

**Guns are** certainly **a major problem** in the United States, but they are symptomatic of a much larger crisis: Our country has tipped over into a new and deadly form of authoritarianism. We have become one of the most violent cultures on the planet and regulating guns does not get to the root of the problem. Zhiwa Woodbury touches on this issue at Tikkun Daily, writing: **We are a country of approximately 300 million people with approximately 300 million firearms - a third of which are concealable handguns. Each one of these guns is made for one purpose only - to kill as quickly and effectively as possible**. The idea that some magical regulatory scheme, short of confiscation, will somehow prevent guns from being used to kill people is laughable, regardless of what you think of the NRA. Similarly, mentally ill individuals are responsible for less than 5% of the 30,000+ gunned down in the U.S. every year. In the current historical conjuncture, gun violence makes a mockery of safe public spaces, gives rise to institutions and cultural apparatuses that embrace a deadly war psychology, and trades on fear and insecurity to undermine any sense of shared responsibility. **It is no coincidence that the violence of prisons is related to the violence produced by police** in the streets; it is no coincidence that **the brutal masculine authority that now dominates US politics, with its unabashed hatred of women, poor people, Black people, Muslims and Mexican immigrants**, shares an uncanny form of lawlessness with a long tradition of 20th century authoritarianism. As **violence moves to the center of American life, it becomes an organizing principle of society**, and further contributes to the unraveling of the fabric of a democracy. Under such circumstances, **the United States begins to consider everyone a potential criminal**, wages war with itself and begins to sacrifice its children and its future. The **political stooges**, who have become lapdogs of corporate and financial interests, and refuse out of narrow self- and financial interests to confront the conditions that create such violence, **must be held accountable for the deaths taking place in a toxic culture of gun violence.** The condemnation of violence cannot be limited to police brutality. Violence does not just come from the police. In the United States, there are other dangers emanating from state power that punishes whistleblowers, intelligence agencies that encourage the arrests of those who protest against the abuse of corporate and state power, and a corporate-controlled media that trades in ignorance, lies and falsehoods, all the while demanding and generally "receiving unwavering support from their citizens," as Teju Cole has pointed out in The New Yorker. Yet, the only reforms we hear about are for safer gun policies, mandatory body-worn cameras for the police and more background checks. These may be well-intentioned reforms, but they do not get to the root of the problem, which is a social and economic system that trades in death in order to accumulate profits. **What we don't hear about are the people who trade their conscience for supporting the gun lobby, particularly the NRA. These are the politicians in Congress who create the conditions for mass shootings and gun violence because they have been bought and sold by the apostles of the death industry. These** are the same **politicians** who **support the militarization of everyday life**, who trade in torture, who **bow down slavishly to the arms industries and who wallow in the handouts provided by the military-industrial-academic complex**.

## Cartels

### AT: Handguns not key

#### Cartels use mostly handguns

Peekworthy.com ’15 (World and Travel News). “How I Smuggled 50M Worth of Guns Into Mexico”, April 15, 2015. http://peekworthy.com/how-i-smuggled-50m-worth-of-guns-into-mexico/.

Anybody can find copious amount of stories about smuggling drugs and items into the United States from Mexico, but what smuggling the other way around? It is a little known fact that smuggling items INTO Mexico is just as common and profitable as smuggling vice versa, the only difference is WHAT is being smuggled. While drugs are the major import into the United States, conversely, guns are the import of choice into Mexico. In fact over 90% of guns seized from Mexican Cartels have been found to be from the United States. The traffic is reflected in the disproportionately high number of federally licensed firearms dealers along the U.S. side of the border. Of the 51,300 retail gun shops in the United States that hold federal licenses, some 6,700 of them are concentrated in the four U.S. states that border Mexico. On average, there are more than three gun dealers for every mile of the 1,970-mile border between the countries. US influence over gun availability in Mexico can even be reflected by the type of guns that are currently being used in Mexico. Increasingly more and more killings in Mexico are carried out with handguns, not the high-powered assault weapons that garner much of the attention related to the countries violence. In fact the vast majority of deaths arising from violence in Mexico can be attributed to .38 caliber handguns, it just so happens that the United States is the largest market for .38 Caliber handguns. Our story picks up at the San Ysidro Border Entry near San Diego, CA. Our author is an ex Mexican Cartel member who is retired and now lives on a remote ranch on the very far east of San Diego. Due to the highly controversial content of this article and at his request, we will refer to him as “Mr Red” to maintain his anonymity. When we received contact from Mr. Red and started to hear his story, we just naturally assumed he was Mexican. Upon meeting Mr. Red we were astonished to find out that he was a white American man with a heavy Mexican accent, who spoke fluent Spanish, and was born into a middle class family in sunny La Jolla, CA.

## Solvency

### AT: Guns Good—TL

#### Aff only bans handguns—mitigates your impacts since there are still other firearms available but solves advantages since Dixon indicates those are #1 for criminals and violence, and it sends a global signal which solves soft power

### AT: Self-Defense

#### Self-defense doctrines are nonsensical because they devolve into a race for weapons with higher damage coefficients – gun control is the most effective protection

Boylan ’12 [Michael Boylan, professor and chairperson of philosophy at Marymount University, “The Weapons *Continuum*”, New York Times, 12/18/2012]

With firearms, the weapon damage coefficient makes a jump in kind. Death and permanent injury rates are significantly higher. When the firearms are rapid-fire automatic weapons (like assault weapons) not only does the rate get even higher but so does the collateral damage (more people killed or injured aside from the intended victim). This trend continues with rocket-propelled grenade launchers. No longer is one able to contain the target to a single person, but the target will almost by necessity include a score or more of victims (and considerably more property damage). Next are anti-aircraft hand-held devices, and finally, if one continues on the weapons continuum there is the nuclear bomb. Depending upon where it is detonated it could kill as many as 6 million people, in one of the world’s most populous cities. Weapons exist on a continuum. Some weapons advocates seem intent on moving along the continuum in order to possess weapons of higher and higher damage coefficient. Their rationale is that the bad guys will have more powerful weapons and so must I in order to defend myself. The logical end of such a scenario is the destruction of humankind. Since no rational person wants that, everyone must, upon pain of logical contradiction of what it means to be human (an agent seeking purposeful action to achieve what he thinks is good), agree that there must be weapons control somewhere on the continuum. Weapons control is a given. No one can logically claim that everyone should be able to possess nuclear weapons. Thus everyone must agree to the concept of weapons control somewhere on the continuum. This point is logically necessary. The only question is where on the continuum of weapons do we begin banning weapons? And though, as we see in the case of state nuclear proliferation, the fact that rogue countries may develop nuclear weapons does not deter us from trying to stop each new potential member in the ultimate annihilation club. Among citizens of any country, the fact that weapons bans are hard to enforce is not an argument against trying to enforce them. Moral “oughts” (in a deontological sense) are not determined by what is easy but by what is right

#### All of the aff proves I outweigh --- guns are both a tool of self-defense and violence – unfortunately it’s more effective in the hands of the oppressor

Robyn Thomas 8 [exec director LCAV], “Regulating Guns in America”, Legal Community Against Violence, February 2008,

Handguns are a particular focus of regulatory efforts – up to and including total bans – because of their frequent use in violent crime as compared to other firearms. From 1993 to 2001, an average of 737,360 violent crimes were committed with handguns in the U.S. each year, making handguns seven times more likely to be used to commit violent crimes than other firearms.4 Although handguns make up only 34% of firearms, approximately 80% of firearm homicides are committed with a handgun.5 Women face an especially high risk of handgun violence.6 In 2005, 72% of female homicide victims were killed with a handgun.7 Suicides committed with handguns are also a major area of concern. A California study found that in the first year after the purchase of a handgun, suicide was the leading cause of death among handgun purchasers.8 In the first week after the purchase of a handgun, the firearm suicide rate among purchasers was 57 times as high as the adjusted rate in the general population.9 Several studies have documented the risks associated with guns in the home. Adults living in homes with guns are at a significantly higher risk of homicide and suicide than adults in homes without guns.10 The risk of unintentional firearm injury is also substantially higher for adults living in homes with guns,11 with handguns in the home posing a particular threat.12 For every incident in which a gun in the home is used in self- defense or in another legally-justified shooting, there are 22 unintentional or criminal shootings or suicide attempts using a gun kept at home.13

#### There’re a million other ways to defend yourself

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Taking handguns from law-abiding citizens does not deprive them of many methods of self-defense. They still have the option of escaping or calling for help, using weapons other than handguns, using their bare hands, reasoning with the criminal, or simply not resisting (which, as I pointed out above, is the next best way to avoid being injured.) It is possible that in some cases a victim would have been able to avoid theft, injury, or even death had she been armed with a handgun. This "cost" of my proposal needs to be weighed against the likely negative results of the defensive use of handguns described above: unnecessary and excessive use of handguns in self-defense; and the deaths shown by Kellermann and Reay to result from the abuse of handguns in the home.

#### Your studies are flawed and are against common sense

Gopnik ’12 (Adam, staff writer for The New Yorker, “The Simple Truth About Gun Control,” 12/19, <http://www.newyorker.com/news/daily-comment/the-simple-truth-about-gun-control>) OS

Look at the Harvard social scientist David Hemenway’s work on gun violence to see how simple it is; the phrase “more guns = more homicide” tolls through it like a grim bell. The more guns there are in a country, the more gun murders and massacres of children there will be. Even within this gun-crazy country, states with strong gun laws have fewer gun murders (and suicides and accidental killings) than states without them. (Hemenway is also the scientist who has shown that the inflated figure of guns used in self-defense every year, running even to a million or two million, is a pure fantasy, even though it’s still cited by pro-gun enthusiasts. Those hundreds of thousands intruders shot by gun owners left no records in emergency wards or morgues; indeed, left no evidentiary trace behind. This is because they did not exist.) Hemenway has discovered, as he explained in this interview with Harvard Magazine, that what is usually presented as a case of self-defense with guns is, in the real world, almost invariably a story about an escalating quarrel. “How often might you appropriately use a gun in self-defense?” Hemenway asks rhetorically. “Answer: zero to once in a lifetime. How about inappropriately—because you were tired, afraid, or drunk in a confrontational situation? There are lots and lots of chances.” So don’t listen to those who, seeing twenty dead six- and seven-year-olds in ten minutes, their bodies riddled with bullets designed to rip apart bone and organ, say that this is impossibly hard, or even particularly complex, problem. It’s a very easy one. Summoning the political will to make it happen may be hard. But there’s no doubt or ambiguity about what needs to be done, nor that, if it is done, it will work. One would have to believe that Americans are somehow uniquely evil or depraved to think that the same forces that work on the rest of the planet won’t work here. It’s always hard to summon up political will for change, no matter how beneficial the change may obviously be. Summoning the political will to make automobiles safe was difficult; so was summoning the political will to limit and then effectively ban cigarettes from public places. At some point, we will become a gun-safe, and then a gun-sane, and finally a gun-free society. It’s closer than you think. (I’m grateful to my colleague Jeffrey Toobin for showing so well that the idea that the Second Amendment assures individual possession of guns, so far from being deeply rooted in American law, is in truth a new and bizarre reading, one that would have shocked even Warren Burger.) Gun control is not a panacea, any more than penicillin was. Some violence will always go on. What gun control is good at is controlling guns. Gun control will eliminate gun massacres in America as surely as antibiotics eliminate bacterial infections. As I wrote last week, those who oppose it have made a moral choice: that they would rather have gun massacres of children continue rather than surrender whatever idea of freedom or pleasure they find wrapped up in owning guns or seeing guns owned—just as the faith healers would rather watch the children die than accept the reality of scientific medicine. This is a moral choice; many faith healers make it to this day, and not just in thought experiments. But it is absurd to shake our heads sapiently and say we can’t possibly know what would have saved the lives of Olivia and Jesse. On gun violence and how to end it, the facts are all in, the evidence is clear, the truth there for all who care to know it—indeed, a global consensus is in place, which, in disbelief and now in disgust, the planet waits for us to join. Those who fight against gun control, actively or passively, with a shrug of helplessness, are dooming more kids to horrible deaths and more parents to unspeakable grief just as surely as are those who fight against pediatric medicine or childhood vaccination. It’s really, and inarguably, just as simple as that.

### AT: Guns Solve Crime

#### Your analysis is just wrong – 1) private handgun ownership is likely to increase bloodshed in shootings and 2) increased gun prevalence is positively correlated with the frequency of shootings.

Follman ’12**:** [Mark Follman, national affairs editor at Mother Jones, “More Guns, More Mass Shootings—Coincidence?”, Mother Jones, 2012]

In the wake of the massacres this year at a Colorado movie theater, a Sikh temple in Wisconsin, and Sandy Hook Elementary School in Connecticut, we set out to track mass shootings in the United States over the last 30 years. [We identified and analyzed 62 of them](http://www.motherjones.com/politics/2012/07/mass-shootings-map), and one striking pattern in the data is this: In not a single case was the killing stopped by a civilian using a gun. And in other recent (but less lethal) rampages in which armed civilians attempted to intervene, those civilians not only failed to stop the shooter but also were gravely wounded or killed. Moreover, we found that the rate of mass shootings has increased in recent years—at a time when America has been flooded with millions of additional firearms and a barrage of new laws has made it easier than ever to carry them in public places, including bars, parks, and schools. America has long been heavily armed relative to other societies, and our arsenal keeps growing. A precise count isn't possible because most guns in the United States aren't registered and the government has scant ability to track them, thanks to a legislative landscape shaped by powerful pro-gun groups such as the National Rifle Association. But through a combination of national surveys and manufacturing and sales data, we know that the increase in firearms has far outpaced population growth. In 1995 there were an estimated 200 million guns in private hands. Today, there are around 300 million—about a 50 percent jump. The US population, now over 314 million, grew by about 20 percent in that period. At this rate, there will be a gun for every man, woman, and child before the decade ends. There is no evidence indicating that arming Americans further will help prevent mass shootings or reduce the carnage, says Dr. Stephen Hargarten, a leading expert on emergency medicine and gun violence at the Medical College of Wisconsin. To the contrary, there appears to be a relationship between the proliferation of firearms and a rise in mass shootings: By our count, there have been two per year on average since 1982. Yet, 25 of the 62 cases we examined have occurred since 2006. In 2012 alone [there have been seven mass shootings](http://www.motherjones.com/politics/2012/07/mass-shootings-map?page=2), and a record number of casualties, with more than 140 people injured and killed. Armed civilians attempting to intervene are actually more likely to increase the bloodshed, says Hargarten, "given that civilian shooters are less likely to hit their targets than police in these circumstances." A chaotic scene in August at the Empire State Building put this starkly into perspective when New York City police officers [trained in counterterrorism](http://www.cnn.com/2012/08/27/us/new-york-empire-state-building-shooting/index.html) confronted a gunman and [wounded nine innocent bystanders in the process](http://www.nytimes.com/2012/08/26/nyregion/bystanders-shooting-wounds-caused-by-the-police.html).

### AT: Shift / Substitution

#### No shift to long guns

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Another reason to doubt that long guns would be used in great numbers to replace handguns in robberies, assaults, and homicides is that long guns are obviously much more difficult to conceal. A potential mugger roaming the streets wielding a long gun will cause everyone in sight to flee, and is likely to be quickly arrested when alarmed people call the police. Similarly, a bank robber carrying a long gun will be immediately detected by security guards, alarm systems will be triggered, and the chances of a successful robbery greatly diminished. Handguns are obviously much more convenient for the commission of such crimes. Kates and Benenson point out that most homicides occur in the home, where concealability is "irrelevant." 95 However, concealability would seem to be an important factor even in the home. Since the victim may well be unaware that the killer is carrying a concealed weapon, the "surprise factor" which is peculiar to handguns can still apply even in the home. In contrast, people can hardly be unaware that the person they are with is carrying a shotgun or rifle. Moreover, in any argument or domestic quarrel, regardless of whether the potential victim knows that the assaulter is carrying a handgun, the ease of pulling out the gun and shooting makes such arguments more likely to spill over into murder. In contrast, by the time the assaulter has gone into another room to retrieve their long gun and loaded it, the potential victim has crucial seconds in which to escape. Another reason that the concealability of handguns is not a good reason for a handgun-only ban is proposed by Hardy and Kates in their discussion of the impact of handgun control on robberies. They point out that "[t]he difference between a long gun and a handgun is ten minutes and a hacksaw."' Even robberies, then, would not be diminished by a handgun ban. However, this contention runs directly counter to the evidence collected by the Bureau of Alcohol, Tobacco and Firearms' Project Identification. Seventy-one percent, or 7,538, of the handguns submitted for tracing, had a barrel length of 3 inches or less. Sixty-one percent, or 6,476, had a caliber of .32 or less. Since both of these factors relate to the size of the weapon, these figures indicate that concealability is an overriding factor in selecting a handgun for use in crime. 7 Sawed-off shotguns will be much longer and much bulkier than any of these short and small-caliber handguns, especially "Saturday Night Specials," which combine a caliber of .32 or less with a barrel length of three inches or less, comprised 44% of all the weapons successfully traced, and fit into the palm of an average sized hand. We may conclude, then, that because of the difficulty of concealment, neither long guns nor sawed-off versions of the same are likely to be used in great numbers to replace handguns in the commission of crimes. The difficulty of concealment factor will outweigh the greater lethalness of long gun shots. Consequently, a ban on handguns will indeed result in a decrease in firearms-related homicide and other violent crimes. Since firearms are the most lethal weapons, and they were used in 64.1% of homicides in the United States in 1990,98 such a ban is, therefore, likely to result in a reduction in the overall murder rate.'

#### Alternatives are less lethal, and the aff still results in fewer robberies

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Let us suppose that robbers turn to knives, clubs, other instruments, and their hands and feet to threaten and perhaps injure their victims. This is exactly what gun control advocates want, since these weapons are far less lethal than handguns.88 While it is true that stabbings and beatings are horribly lethal in their own right, a crucial difference is that running away will at least sometimes be an option for the victim, whereas this tactic will be of little use in the face of a loaded gun. A reduction in robberies and in their degree of violence is a likely result of such a substitution.

#### Handguns are key—they’re used way more than other guns.

Robyn Thomas 8 [exec director LCAV], “Regulating Guns in America”, Legal Community Against Violence, February 2008,

Handguns are a particular focus of regulatory efforts – up to and including total bans – because of their frequent use in violent crime as compared to other firearms. From 1993 to 2001, an average of 737,360 violent crimes were committed with handguns in the U.S. each year, making handguns seven times more likely to be used to commit violent crimes than other firearms.4 Although handguns make up only 34% of firearms, approximately 80% of firearm homicides are committed with a handgun.5 Women face an especially high risk of handgun violence.6 In 2005, 72% of female homicide victims were killed with a handgun.7 Suicides committed with handguns are also a major area of concern. A California study found that in the first year after the purchase of a handgun, suicide was the leading cause of death among handgun purchasers.8 In the first week after the purchase of a handgun, the firearm suicide rate among purchasers was 57 times as high as the adjusted rate in the general population.9 Several studies have documented the risks associated with guns in the home. Adults living in homes with guns are at a significantly higher risk of homicide and suicide than adults in homes without guns.10 The risk of unintentional firearm injury is also substantially higher for adults living in homes with guns,11 with handguns in the home posing a particular threat.12 For every incident in which a gun in the home is used in self- defense or in another legally-justified shooting, there are 22 unintentional or criminal shootings or suicide attempts using a gun kept at home.13

#### Particularly indicative since we have less hand guns – indicates they are more lethal b/c concealment and convenience

### AT: Black Market

#### 1] Turn—cross apply LaFollette 2k—aff decreases the black market because it drives up prices by reducing supply—that’s simple economics—also reduces homicides overall because teenagers, who commit most violence crimes, can’t afford guns

#### 2] Illegal markets can’t persist and lack of gun ban obscures enforcement.

Braga 12 Braga, Anthony A., et al. "Interpreting the empirical evidence on illegal gun market dynamics." Journal of Urban Health 89.5 (2012): 779-793.

It is important to note that the empirical data used in this article to refute wrongheaded claims by Kleck and Wang on illegal gun market dynamics have some noteworthy limitations. As described earlier, ATF firearms trace data may not be representative of firearms possessed and used by criminals; furthermore, a substantial proportion of recovered firearms cannot be traced to the first known retail sale.7 ATF gun trafficking investigation data only provide information on gun trafficking investigations that come to the attention of ATF agents.12 These gun trafficking enterprises may not be representative of broader gun trafficking pathways at work in the USA. The trace- and investigation-based information that results is biased to an unknown degree by these factors. These concerns certainly apply to the trace and investigation data used in the empirical analyses presented here. However, as suggested by the National Research Council’s Committee to Improve Research Information and Data on Firearms, these data can provide policy relevant insights on illegal gun market dynamics when conclusions are based on careful analyses that are coupled with clear acknowledgments of the data limitations.23 The research presented here identifies three important points about how criminals acquire guns. First, they rely on a diverse **set of illegal pathways, including corrupt licensed dealers, unlicensed sellers, straw purchasers, residential theft, and theft from licensed dealers, common carriers, and firearm manufacturers. Organized, largescale trafficking exists, but it is not predominant.** Where they occur, **high-volume gun trafficking operations are attractive targets for regulatory and enforcement efforts**. (Certain trafficking routes, such as those supplying firearms to large criminal organizations in Mexico, may behave differently.) Second, new **guns are disproportionately recovered in crime, suggesting an important role for close-to-retail diversion of guns in arming criminals. Third, given the diversity of channels through which criminals can acquire guns, law enforcement agencies need to consider a variety of gun trafficking indicators that go well beyond whether a crime gun is recovered with an obliterated serial number or not**. Our findings refute three key arguments against the proposition that interventions aimed at curtailing illegal transfers of firearms could be used to good effect in reducing gun availability to criminals and gun crime. **The case for a supply-side approach to gun violence is well supported by the empirical evidence on illegal gun market dynamics.** To date, however, there is little empirical evidence that such an approach reduces rates of gun crime. We believe that it is time to develop experimental evidence on whether interventions designed to limit illegal transfers of firearms can reduce gun violence.

### AT: States Prove No Solve

#### Guns imported from adjacent states mask the deterrent effect in individual states—national policy solves

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Further support for gun control would be provided by statistics demonstrating higher gun-related homicides and other violent crime rates in those states with more permissive gun laws. However, it is widely agreed in the anti-control literature that the evidence fails to provide any such support.' In response, advocates of gun control suggest that the genuine deterrent effect of a state's strict gun control laws may be "masked" by the easy availability of guns in other states (especially adjacent ones) that have permissive gun laws, or none at all. Such guns can be easily "imported" from one state to another. What is called for, then, is a national gun control policy, not the abandonment of all gun control. Indeed, a plausible causal story would see it as no coincidence that states with 'strict gun control have high crime rates, since it is precisely in response to these high crime rates that gun control is more likely to be introduced in the first place. It is perverse to assume the contrary-namely, that gun control is itself the cause of increased crime.

### AT: Correlation, Not Causation

#### This isn’t mere correlation—high rates of handgun ownership do cause higher homicide rates—use common sense

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Two important clarifications need to be made at this point. First, it is not being claimed that the high rate of gun ownership in the United States is the only, or even the main, cause of its excep tionally high handgun homicide rate. What is being claimed is that its handgun ownership rate is one of the causes. Furthermore, it is the easiest to control of all of the probable causes. Consequently, reducing ownership of handguns is the most realistic way to start reducing murder and handgun-related crime in the United States. Second, I am fully cognizant of the error of assuming that a correlation implies a causal connection. In order to avoid this error, anyone who posits a causal connection based on a correlation must do at least two things. One must first show that there are no other variables which correlate better with the effect, and which would account for the effect better than, or in place of, the posited cause. Take, for instance, the view that AIDS was a punishment for homosexuality, which, in the early 1980s, did seem to correlate very closely with the syndrome of diseases. As heterosexual AIDS cases emerged, the "punishment" hypothesis lost credibility. What finally destroyed the credibility of that hypothesis was the discovery of a 100% correlation between AIDS symptoms and the presence of HIV, along with the emergence of an increasing number of heterosexuals with AIDS. The second requirement is the provision of a probable theoretical explanation of how the causation occurred. The second requirement is also illustrated by the case of AIDS. What made the HIV hypothesis increasingly convincing was the development of a detailed biochemical explanation of exactly how the virus attacks the immune system and leads to the symptoms of AIDS. Both the 100% correlation and the detailed theoretical account make the HIV hypothesis practically certain. In the case of causal hypotheses in the social sciences, where the web of causation is much more complex and causes much harder to distinguish, a more modest correlation and a less rigorous theoretical explanation are sufficient to establish the plausibility of a causal connection. Since I do not claim that handguns are the only cause of murder, I do not need to rule out the existence of other causes. Consequently, to try to refute my position by pointing out these other causes is to commit a straw [person] man fallacy. All I need to show is that there is no other cause that correlates so well with handgun murder as to rule out my own causal hypothesis. I undertake this task in the next subsection and on various occasions throughout this paper. While the evidence does indeed suggest a prima facie case for several other causal factors, none of them is nearly strong enough to be considered as the only cause, and hence, to disprove my hypothesis. As for a theoretical explanation of why high rates of handgun ownership correlate with high rates of handgun related murder, one need not go beyond common sense. Assuming human nature to be relatively similar in different developed democratic countries (i.e. those represented in the Interpol statistics quoted above), one would expect people to be subject to roughly similar amounts of stress, provocation, jealousy, anger, desperation, resentment of other people's affluence, and whatever other factors are liable to lead some people to violence. If one of these nations has a vastly higher rate of private ownership of handguns, one would expect that the similar provocations to violence would spill over into handgun murder far more often than in the other nations. This low-level theoretical explanation is sufficient to show that my handgun hypothesis is more than an accidental coincidence and, unlike the "AIDS as punishment" hypothesis, is not based on prejudice and superstition.

### --- Specifics

### AT: Kates

#### Kates’s conclusions are shoddy scholarship

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Since comparisons with the far lower murder rates in countries that have stricter handgun control were the main impetus for gun control, it is wise to start with this issue. The overall strategy of handgun supporters is to argue that the higher murder rate in the United States compared to other developed countries is attributable to factors other than the higher prevalence of handguns in the United States." For example, Don Kates, one of the most prolific and articulate opponents of banning handguns, argues: "The determinants of violence are ... fundamental economic, sociocultural, and institutional differences .... Since gun laws, by definition, do not focus on these kinds of fundamental determinants, their potential benefits can be no more than marginal."'29 Disappointingly, neither Kates nor any of the other contributors to his volume give any analysis of what exactly these "deeper" causes are and how one might hope to remedy them. Such vague hypotheses fail to meet the evidentiary burden of proof that I have placed on opponents of gun control.3

### AT: Kleck

#### Kleck’s survey data is flawed

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Kleck's estimate of the number of self-defensive uses of guns is a projection based on surveys, and is subject to a serious criticism. The respondents were gun owners who have a vested interest in exaggerating both the need for self-defense, and the effectiveness of their guns in providing it. What gun owner, for instance, is going to admit that he fired his gun at a false alarm, or that he used more force than necessary in repelling an intruder who turned out to be harmless? Such nuances are likely to be left out of responses to surveys, and the incidents in question will be recorded as successful defenses of self and property. Even more likely than deliberate dishonesty among respondents to surveys is self-deception and outright error concerning the need to use a gun in self-defense. A chilling example of this trigger-happy attitude is provided by an incident involving Bernard Goetz before he achieved notoriety as the "subway vigilante." At 8pm. one evening he was asked for money by "a crazy kid on drugs" who was walking behind him on Sixth Avenue. Even though he admits that there were many other ways to deal with the situation, Goetz pulled his gun on the youth."°7 In apparent support of his advocacy of the defensive efficacy of handguns, Kleck cites the infamous subway shootings of 1984, by referring to the sharp decrease in subway crime which followed them."'8 Not only must unjustifiable uses of firearms, when less force would have been sufficient to escape the real or perceived danger, be subtracted from the benefits that Kleck claims for the defensive use of guns; they must be added to the long list of bad consequences of handgun ownership around which this paper is based.

### **AT: Switzerland**

#### Switzerland can’t be compared to the US on guns

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Other opponents of gun control try to show that international comparisons actually weaken the case for gun control. Though I could not obtain any handgun ownership statistics from the Swiss government, it is often claimed that the rate of gun ownership in Switzerland is higher than that in the United States.3' This is alleged to disprove any causal connection between firearm ownership and homicide rates. However, there are two crucial differences between this country and the United States. First, the guns owned in Switzerland are primarily long guns. 2 Long guns are not the issue in this paper, which advocates a ban on handguns only. Second, all male citizens in Switzerland are required to retain the gun that they were given during their military service.33 The context of their gun ownership is, then, mandatory service in a citizens' militia, with its attendant training and discipline, which bears no comparison with the minimally controlled private handgun ownership in the United States. In fact, this comparison was most ill-advised on the part of handgun supporters. The handgun homicide rate in Switzerland, though less than that in the United States, is almost four times higher than that in Sweden and is on average over ten times higher than that in other countries with restrictive handgun laws (Australia, Canada, and Britain). The factors to which opponents of gun control appeal in order to explain the high rate of handgun homicide in the United States-e.g. extensive poverty, high unemployment, a minimal welfare system, and racial tension-cannot plausibly be asserted of Switzerland. 4 The United States' alleged high rate of firearms ownership remains the most plausible explanation of its comparatively high handgun homicide rate.

### AT: Wright and Rossi

#### Wright and Rossi surveyed felons—that’s a bad method

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

An often-quoted study intended to establish this deterrent effect was done by Wright and Rossi. °1 They interviewed over 1800 prisoners in ten States concerning their attitude toward the possibility of armed victims. 34% said that they had been "scared off, shot at, wounded, or captured by an armed victim"; another 34% said that they were concerned that they might be shot by their victim (interestingly, the same percentage feared being shot by the police); 57% said that "most criminals are more worried about meeting an armed victim than they are about running into the police"; and 59% agreed that "a store owner who is known to keep a gun on the premises is not going to get robbed very often."'" While no one would deny that firearms do have a deterrent effect on potential felons, the reliability of a survey conducted among felons is very dubious. Referring to a similar survey done by Wright and Rossi, a supporter of the defensive use of firearms pointed out the difficulties in relying on surveys of convicted criminals (who, as a group, are remarkable neither for honesty nor acute introspection). Then there are the difficulties in extrapolating from their answers to the attitudes of fellow criminals who, perhaps because of distinguishing characteristics such as greater shrewdness, have not been caught. 3

### AT: Wright—Seattle-Vancouver Indicts

#### Wright underestimates the number of handguns in Seattle

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

It is to the credit of opponents of gun control that they have taken on the challenge presented by the Seattle-Vancouver study. James Wright has criticized it on two main grounds. First, it fails to prove that guns are more widely available in Seattle than in Vancouver. Second, the difference in murder rate is attibutable to racial factors, not to differences in gun laws.52 To establish the first criticism, Wright points out that the study's reason for believing that there are more guns in Seattle than in Vancouver is based on the number of gun permits handed out in the two cities. He discounts these numbers on the ground that the cities have different permit regulations." However, the very difference between permit regulations indicates that the figures vastly under-estimate the number of handguns in Seattle, since Seattle, unlike Vancouver, requires neither permits nor registration for handguns kept at home.

#### Wright’s wrong—racial variations don’t invalidate the study

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Wright's second main line of objection is based on a comparison of the homicide rates of Seattle and Vancouver by ethnic groups. While they have similar percentages of white residents (Seattle:79.2%, and Vancouver:75.6%), the makeup of their non-white populations is very different. Vancouver is dominated by Asians (22.1%), whereas Seattle has a higher percentage of blacks (9.5- 0.3%) and Hispanics (2.6-0.5%).' Revealingly, despite its overall substantially lower murder rate, Vancouver's annual homicide rate for its white non-hispanic population is slightly higher than Seattle's (6.4 to 6.2 per 100,000.) 5 If the alleged difference in gun ownership were the cause of the difference in overall murder rate, one would expect this effect to be reflected among all racial groups, whites included. Since the difference appears only among racial minorities, the evidence indicates racial differences, not differences in gun laws, as the cause of the difference in murder rates. However, the existence of these racial variations does not invalidate the Seattle-Vancouver study. Its authors are perfectly well aware of these differences and suggest that the usual socio-economic disadvantages of these groups are part of the cause.56 These disadvantages make members of racial minorities more likely to commit murders, and the vast majority of murders are committed by someone of the same ethnic group as the victim.57 Their own statistics show that, with the exception of Asians in Vancouver, all non-white groups in both cities suffer from a higher murder rate than whites.58 No one in the gun control movement ever claims that the availability of guns is the only cause of murder. The point is that it is one of the causes that exacerbates the other causes such as socio-economic deprivation. In support of this hypothesis is the fact that the nonwhite/white disparity in murder rate is much more pronounced in Seattle (5.78:1) than in Vancouver (3.63:1)."9 The difference in the white/non-white disparity is plausibly explained by the far greater prevalence of handguns in Seattle. It is among those elements of the population who, by virtue of disadvantages linked to race (discrimination, lack of economic opportunity, poverty, unemployment, and so forth), are more likely to kill that we should expect the homicide-increasing influence of handguns to be most pronounced. It is, as it were, "the straw that breaks the camel's back" in the case of violence-prone sectors of society.' It is less surprising that there is no perceptible influence of guns on white people who, statistically, are less prone to be murdered in the first place.61 Moreover, Seattle and Vancouver are anomalous in this regard. Nationwide, "the homicide rate among whites alone is almost three times higher in the U.S. than in Canada."'62 The "racial differences" hypothesis is of no use in explaining this disparity.

## Framework

### AT: Aggregation Fails

#### 1. Truth over implementation—doesn’t dispute the truth of util—not a reason to prefer your framework

#### 2. A risk of utility is reason enough to take an action, even if we aren’t 100% certain

#### 3. Burden of rejoinder—my advantages are 100% accurate unless you win defense—not how debate works

### AT: Infinite Timeframe

#### Infinite timeframe doesn’t paralyze util. Even if infinite future possibilities, the probability is infinitely small because they are infinitely far away and there are an infinite number of them. There are intervening actors and those impacts would be more reversible.

### AT: Pleasure/Pain Subjective

#### 1. No impact in context—pretty much no one likes death or extreme oppression—we aggregate so since the majority hate those things we do the plan

#### 2. Those feelings can be objectively traced to certain neurological processes/nerve stimulations/hormones which are the same across people

#### 3. Sinhababu indicates we should assume other people’s experiences have the exact same intrinsic properties as ours meaning there are some things we can assume to be objectively unpleasable

### AT: Benetar

#### 1. Death precludes the possibility of pleasure—life is probably net pleasurable else we’d all kill ourselves—at worst it’s probably a wash in which case only a risk death is worse

#### 2. Pleasure outweighs pain—a) many are willing to undergo tremendous suffering to achieve pleasure, like devoting their lives to religion for a chance to go to heaven, b) pain has a natural physiological limit whereas the possibility for ecstasy is infinite, c) pleasure is derived from the satiation of forms of suffering but not vice versa so it’s conceptually prior

#### 2. Human extinction would be so awful that it would probably outweigh the normal suffering that would occur in someone’s life—global nuclear war or apocalyptic warming is hell on earth

#### 3. Only a risk we can make life worth living which would require avoiding extinction

### AT: Oppressive

#### 1. Turn—intent and means-based frameworks reflect privilege and decenter oppressed voices

Utt ’13 (Jamie, a writer and a diversity and inclusion consultant and sexual violence prevention educator, “Intent vs. Impact: Why Your Intentions Don’t Really Matter,” July 30, 2013)

Imagine for a moment that you’re standing with your friends in a park, enjoying a nice summer day. You don’t know me, but I walk right up to you holding a Frisbee. I wind up – and throw the disc right into your face. Understandably, you are indignant. Through a bloody nose, you use a few choice words to ask me what the hell I thought I was doing. And my response? “Oh, I didn’t mean to hit you! That was never my intent! I was simply trying to throw the Frisbee to my friend over there!” Visibly upset, you demand an apology. But I refuse. Or worse, I offer an apology that sounds like “I’m sorry your face got in the way of my Frisbee! I never intended to hit you.” Sound absurd? Sound infuriating enough to give me a well-deserved Frisbee upside the head? Yeah. So why is this same thing happening all of the time when it comes to the intersection of our identities and oppressions or privileges? **Intent v. Impact** From Paula Deen to Alec Baldwin to your annoying, bigoted uncle or friend, we hear it over and over again: “I never meant any harm…” “It was never my intent…” “I am not a racist…” “I am not a homophobe…” “I’m not a sexist…” **I cannot tell you how often I’ve seen people attempt to deflect criticism about their oppressive language or actions by making the conversation about their intent. At what point does the “intent” conversation stop mattering so that we can step back and look at impact? After all, in the end, what does the intent of our action really matter if our actions have the impact of furthering the marginalization or oppression of those around us?** In some ways, this is a simple lesson of relationships. If I say something that hurts my partner, it doesn’t much matter whether I intended the statement to mean something else – because my partner is hurting. I need to listen to how my language hurt my partner. I need to apologize. And then I need to reflect and empathize to the best of my ability so I don’t do it again. But **when we’re dealing with the ways in which our identities intersect with those around us – and, in turn, the ways our privileges and our experiences of marginalization and oppression intersect – this lesson becomes something much larger and more profound.** This becomes **a lesson of justice.** What we need to realize is that **when it comes to people’s lives and identities, the impact of our actions can be profound and wide-reaching. And that’s far more important than the question of our intent. We need to ask ourselves what might be or might have been the impact of our actions or words. And we need to step back and listen when we are being told that the impact of our actions is out of step with our intents** or our perceptions of self. Identity Privilege and Intent For people of identity privilege, this is where listening becomes vitally important, for **our privilege can often shield us from understanding the impact of our actions.** After all, as a person of privilege, **I can never fully understand the ways in which oppressive acts or language impact those around me**. What I surely can do is listen with every intent to understand, and I can work to change my behavior. Because **what we need to understand is that making the conversation about intent is inherently a privileged action.** The reason? **It ensures that you and your identity (and intent) stay at the center of any conversation and action while the impact of your action or words on those around you is marginalized.** So if someone ever tells you to “check your privilege,” what they may very well mean is: “**Stop centering your experience and identity in the conversation by making this about the intent of your actions instead of their impact**.” That is: Not everything is about you. “What They Did” vs. “What They Are” The incredible Ill Doctrine puts it well when he explains the difference between the “What They Did” conversation and the “What They Are” conversation, which you can watch here. In essence, the “intent” conversation is one about “what they are.” Because if someone intended their action to be hurtful and racist/sexist/transphobic/pickyourpoison, then they must inherently be racist/sexist/transphobic/pickyourpoison. On the other hand, **the “impact” conversation** is one about “what they did.” For you, it **takes the person who said or did the hurtful thing out of the center and places the person who was hurt in the center. It ensures that the conversation is about how “what they did” hurts other people and further marginalizes or oppresses people.** And it’s important for people to understand the difference. Just because you did something sexist doesn’t mean that you are sexist. Just because you said something racist doesn’t mean that you are racist. When your actions are called into question, it’s important to recognize that that’s all that is being called into question – your actions, not your overall character. Listen. Reflect. Apologize. Do Better. It doesn’t matter whether we, deep down, believe ourselves to be \_\_\_\_\_\_\_\_\_\_-ist or whether we intended our actions to be hurtful or \_\_\_\_\_\_\_\_\_-ist. It.Doesn’t.Matter. If the impact of our actions is the furthering of oppression, then that’s all that matters. So we need to listen, reflect, apologize, and work to do better in the future. What does that look like? Well, to start, we can actually apologize. I don’t know about you, but I am sick of hearing the ““I am sorry your face got in the way of my Frisbee! I never intended to hit you” apologies. Whether it’s Paula Deen weeping on TV or Alec Baldwin asking us to simply trust that he’s not a “homophobe,” those are not apologies. That’s why I was incredibly inspired and relieved to see a major organization do it well when Kickstarter apologized and took full responsibility for their role in funding a creepy, rapey seduction guide. They apologized earnestly and accepted the role they played in something really terrible. hey pledged to never allow projects like this one to be funded in the future. And then they donated $25,000 to RAINN. At the interpersonal level, we can take a cue from Kickstarter. **When we are told that the impact of our action, inaction, or words is hurtful and furthers oppression, we can start by apologizing without any caveats. From there, we can spend the time to reflect in hopes of gaining at least some understanding (however marginal) of the harmful impact. And we can do our best to move forward by acting more accountably**.

#### Outweighs—oppressed people don’t care about the abstract philosophical implications of frameworks so much as their ability to tangibly reproduce forms of privilege and domination

#### 2. Non-unique—deont can justify awful things like not lying to a KKK member to protect a black person

#### 3. No link—just because util says repugnant things are sometimes OK doesn’t mean it doesn’t still say they’re really bad—util says genocide is awful—means it devolves to a question of the truth of the framework

#### 4. No link—I used util to talk about systemic harms—the impact is non-intrinsic

# T/Theory Blocks

## AT: Solvency Advocate

### 1AR TL

#### Counter-interp: Aff doesn’t need a card that explicitly mentions the United States federal government if they spec nothing other than a government AND have solvency evidence that’s in the context of United States implementation

#### I meet—Dixon advocates a national handgun ban

#### Solves 100% of the abuse—they implicitly advocate the exact plan since the USFG is the only possible actor considering 50 state fiat doesn’t really happen in real life

#### Net benefits:

#### 1. Aff ground—no articles use the explicit rhetoric of a specific government—they just say guns are bad and a ban would be good—means I can’t specify an actor under their interp which is key to specific solvency scenarios and in-depth debates

#### 2. Advocacy skills—not having an explicit solvency advocate and doing the extrapolation ourselves gives us more room to come up with our own arguments instead of relying on others’ which is key to being an effective leader and advocate down the line

## AT: Can’t Spec Gov’t

### 1AR TL

#### Counter-interp: Aff can specify implementation by the United States federal government if they advocate a handgun ban everywhere in the United States

#### Solves the abuse—ground doesn’t vary based on the actor if it’s a national ban regardless, and there are only 2 possible actors I could choose—USFG or 50 state fiat

#### Net benefits:

#### 1. Ground—gives us both more specific solvency/solvency indict scenarios since we can make them specific to the actor, and allows me to garner offense off of things like soft power which prevents every debate from turning into guns good/bad for crime which the neg can just frontline for weeks

#### 2. Education—we should learn about specific actors and how they vary in terms of effectiveness—in real life every policy needs an actor

#### 3. Stable advocacy—if affs don’t specify an actor it’s hard to know exactly what constitutes a ban since we don’t know what normal means is so they’ll shift in the 1AR

## AT: Spec

### 1AR

#### Counter-interp: Aff doesn’t need to spec \_\_\_\_\_\_\_ if they specify an actor *[and if the spec shell isn’t checked in CX/isn’t disclosed]*

#### Framing issue—best middle ground—spec-ing an actor solves most of your offense, but avoids the following:

#### 1. Limits—spec-ing other things explodes aff ground—there would be hundreds of possible affs all with different harms areas—neg couldn’t prep them all

#### 2. Predictability—there are an infinite number of other things I could have specified—would be a lot harder for the neg to predict—the USFG is the only federal actor so counter-interp solves

#### 3. Prep skew—you force me to either find incredibly specific evidence or lose the solvency debate—kills quality aff ground

#### 4. Philosophical education—topic education matters but hyper-specific questions of implementation trade off with a broader philosophical discussion of principles—important since it’s 100% unique to LD

### Must Disclose Spec Shells

#### Interpretation: All negative theory or T interpretations that require the aff to specify something they didn’t must be disclosed on the NDCA LD wiki before they’re read.

#### Violation: They don’t

#### Prefer: strat skew—there are an infinite number of things some people want me to spec—I can’t possibly predict what you want—most spec shells have hyper-specific interps so if disclosed I could have seen them and realized they’re a good norm—also bidirectional interps mean I might have thought your spec shell was true but was simply too scared of OSPEC to comply—kills fairness since I shouldn’t be forced to justify my practice

#### Meta-theory first—a) gateway issue—proves I wasn’t given a fair shot to justify my practice so you can’t vote on the original shell, b) abuse on theory outweighs since theory is a game-over issue

# NC Blocks

## AT: Deont

### AT: FW

#### 1] No internal link—just because I have to value my own freedom and reason does not mean I have to value everyone else’s

#### **2] Tailoring objection—I can tailor my maxims to become specific enough to be universal. For example, I can will the maxim of lying in a specific circumstance only, as when universalized that would not create a contradiction in willing since not everyone would lie constantly.**

#### 3] No a priori reason—humans are tainted with cognitive biases—it’s inseparable with evolutionary desires like avoiding pain meaning it collapses to util

#### 4] Everyone’s ultimate ends are to seek pleasure and avoid pain so a) no coercion and b) prefer util since acting on “legitimate” reasons just means acting on those desires

#### 5] Deont fails—it can’t weigh conflicts of duty. Only util solves by valuing the objective end of all rational beings.

Cummiskey 90 David Cummiskey (professor of philosophy at Bates College, Ph.D., M.A., University of Michigan; B.A., Washington College). “Kantian Consequentialism.” 1990. http://www.bates.edu/Prebuilt/kantian.pdf

Now, according to Kant, the formula of the end-in-itself generates both negative and positive duties (GMM, p. 430; MEJ, p. 221; DV, pp. 448-51). In the negative sense we treat persons as ends when we do not interfere with their pursuit of their (legitimate) ends. In the positive sense we treat persons as ends when we endeavor to help them realize their (legitimate) ends. Kant describes the positive interpretation of the second formulation of the categorical imperative as a duty to make others’ ends my own. Since, it one wills an end, one wills the necessary means (GMM, p. 417), it follows that the positive interpretation requires that we do those acts which are necessary to further the permissible ends of others. Since Kant also maintains that “to be happy is necessarily the desire of every rational but finite being” (CPR, p. 25; GMM, p. 415), **we have a positive duty to promote** the **happiness** of others. Thus, in addition to any constraints on action which Kant’s principle might generate, it also provides a rationale for a moral goal that we are obligated to pursue (GMM, pp. 398, 423, 430; DV, pp. 384-387). Since Kant’s principle generates both positive and negative duties, and since there are many situations which involve, at least, prima facie conflicts of these duties, **we need a rationale for giving priority to one duty rather than the other**. Of course, according to Kant, there cannot be unresolvable conflicts of duty. The concept of duty involves the objective practical necessity of an action and since two conflicting actions cannot both be necessary, a conflict of duties is conceptually impossible. Kant, however, does not grant that “grounds of obligation” can conflict, even if obligations cannot. He is thus left with the priority problem at this level. Kant argues that in cases of conflict “the stronger ground of obligation prevails” (MEJ, p. 224). Although such a response is intuitively plausible, without an account of how one ground of obligation can be stronger than another, it does not provide any practical guidance. In addition to the conceptual impossibility of conflicting duties, Kant’s confidence that there are no unresolvable conflicts of duty is rooted in his larger moral and metaphysical system; specifically, his conception of the Kingdom of Ends, his teleology of nature, and his division of reality into sensible and intelligible realms. According to Kant, the ends of fully rational beings will not conflict but will form a harmonious Kingdom of Ends. It is part of the very idea of lawful ends and rational beings that they coexist in a state of harmony, because as fully rational beings they would all will the same thing. Of course, as finite, imperfect, rational beings (beings guided by both reason and natural inclination) we need some guide to the proper ends of rational beings. Kant often maintains that the teleological ends of natural law are our guide in identifying the proper and legitimate ends of a rational being. As imperfectly rational beings, existing in the sensible rather than the intelligible realm, we can act in accordance with the teleological laws of nature to assure that our ends are rational and thus worthy of being realized. As Bruce Aune explains, “If by treating an imperfectly rational being in a certain way, we promote a kingdom of nature, we can infer, by analogy, that we are acting in accordance with the requirements of the pure moral law, which directly applies to an inaccessible domain of purely rational, intelligible beings.” Essentially, Kant argues that a kingdom of nature represents a Kingdom of Ends and natural law represents a universal practical law. Natural law is, according to Kant, our analogue for universal practical law. Most neo-Kantians do not defend these parts of Kant’s theory. If we reject (as I assume we do) the view of nature as a system of teleological laws which prescribes the natural and lawful ends to rational beings, then we must rely on the concept of rational nature as an end-in-itself to determine the shared ends of all rational beings. The telos of rational action must replace the telos of nature. Thus, to discover which ground of obligation is stronger, and thereby resolve prima facie conflicts of duty, we must appeal directly to the objective end of rational action.

#### 6] Constitutivism fails—shmangency objection

Enoch ’11 (David, studied law and philosophy in Tel Aviv University, where he earned his B.A. and LL.B. in 1993, earned Ph.D. in phil @ the NYU Philosophy Department, “Shmagency revisited”, In Michael Brady (ed.), New Waves in Metaethics, Palgrave Macmillan, 2011) PO

If it can be defended, then, constitutivism promises to yield significant payoffs3. But constitutivism seems to be subject to a powerful objection. For agents need not care about their qualifications as agents, or whether some of their bodily movements count as actions. They can, it seems, be perfectly happy being shmagents – non-agent things that lack the thing purportedly constitutive of agency, but that are as similar to agents as is otherwise possible – or perhaps being something else altogether. If so, constitutivism cannot make good on its promises: For when Korsgaard replies to the agent who asks, say, "Why should I care about the hypothetical and categorical imperatives?" with "Well, otherwise you wouldn't even count as an agent, you wouldn't even be in the game of performing actions.", the skeptic can discard this reply with a simple "So-what?". What is it to her, as it were, if she qualifies as an agent or not? She would be analogous not to the chess-player who asks why she should play according to the rules, but to someone who enjoys the aesthetic qualities of (what we call) the chess board and pieces. If we tell this person that he must not move his king to a certain position because it's against the rules, and if he breaks them he won't count as playing chess, he can shrug us off with a simple "So-what?". He doesn’t care whether his manipulation of the chess pieces qualifies as chess-playing. And at this point the objectivity Velleman hopes for also collapses, because the practical reasons whose objectivity Velleman wants to secure will not reach the person who is happy being a shamgent-rather-than-an-agent, or perhaps something else entirely. The general point here is that the status of being constitutive of agency does not suffice for a normatively non-arbitrary status. Of course, if there were some independent reason to be an agent (for instance, rather than a shmagent), or to perform actions, this objection would go away. But the price would be too high, for such an independent reason – one not accounted for by the constitutivist story, but rather presupposed by it – would make it impossible for constitutivism to be the whole, or the most foundational, account of normativity, or to deliver on its promised payoffs.

### Libertarianism False

#### The state can coerce to preserve freedom—key to avoid contradiction

Kant ’81 (Immanuel Kant, *Critique of Pure Reason*, 1781) bracketed for gendered language

When I declare (by word or deed), “I will that an external thing shall be mine,” I thereby declare it obligatory for everyone else to refrain from using the object of my will. This is an obligation that no one would have apart from this juridical act of mine. Included in this claim, however, is an acknowledgment of being and that I’m reciprocally bound to everyone else to exercise a similar and equal restraint with respect to what is theirs. The obligation involved here comes from a universal rule of the external juridical relationship that is, the civil society. Consequently, I am not bound to leave what is another’s property untouched if everyone else does not in turn guarantee to me with regard to what is mine that [they] will act in accordance with exactly the same principle. This guarantee does not require a special juridical act, but is already contained in the concept of being externally juridically bound to a duty Verpflichtung on account of the universality and hence also the reciprocity of an obligation coming from a universal rule. Now, with respect to an external and contingent possession, a unilateral Will cannot serve as a coercive law for everyone, since that would be a violation of freedom in accordance with universal laws. Therefore, only a Will binding everyone else—that is, collective universal (common), and powerful Will—is the kind of Will that can provide the guarantee required. The condition of being subject to general external (that is, public legislation that is backed by power is the civil society. Accordingly, a thing can be externally yours or mine only in a civil society.

### AT: Offense

#### [1] Gun ownership hinders freedom—possessing dangerous weapons is problematic even if we don’t use them—for example it’s a violation of the freedom of those around me for me to build a nuclear bomb and keep it in my home—also if I force others around me to feel in danger then that violates them—if they don’t consent to gun ownership in their neighborhood then that’s offense

#### **[2] Right to freedom implies a full right to self-defense—you gotta hinder that hindrance**

Ripstein 09

Arthur, prof of phil, Force and Freedom, 2009

“Your right to your own person is not provisional, because of the two differences between that right and acquired rights that we saw in Chapter 3: your right to your own person does not require an af firmative act to establish it, and your person can never be physically separated from you. Thus neither the problem of unilateral appropriation nor the problem of assurance can arise. Your right in your own person is innate, so no affirmative act changes the rights of others. **Your right in your own person is enforceable inasmuch as enforcing it is simply repelling others if they trespass against you; because your person is your body, to stand on your right to your own person is, at a minimum, to keep others away from it. Anyone who touches you without your authorization44 hinders your freedom; to repel the trespasser is to hinder his hindrance. Kant characterizes the right to “forestall” a wrongful assailant as “ius inculpatae tutelae,” the right to blameless defense, and notes that there is no duty of right to “show moderation” in such cases**.45 [Footnote 45:] 6:235. At 6:306 Kant iden ti fies “protective justice (iustitia tutatrix)” with lex iusti, which is in turn iden ti fied at 6:236 with the basis of rightful honor in the right of humanity in our own person, that is, innate right.

#### [3] Tiebreaker question: if bans don’t violate freedom then we default to a question of imperfect duties—aff is key to the duty of beneficence since we have an obligation to try to make our communities safer and help others—means the advantages turn the NC

## AT: Skep

### 1AR K

#### Discourse matters—we have to re-conceptualize the way in which we use words specifically within the debate space

Christopher Vincent 2013, Debate Coach, former college NDT debater “Re-Conceptualizing Our Performances: Accountability In Lincoln Douglas Debate” PO

That is why it is easy for a white student to make claims that we do not know whether racism is bad, or even question whether oppression is bad, since after all it is just another argument on the flow. They never have to deal with the practical implications of their discourse. These become manifestations of privilege in the debate space because for many students of color, who have to go back to their communities, they still have to deal with the daily acts of racism and violence inflicted upon their homes, communities, and cultures. To question or even make a starting point question for the debate to be about justifying why racism is bad ignores the reality of the bodies present in the room. Our justification of western philosophy has allowed us to remain disconnected from reality. Philosophy, as Mills argues, justifies particular way of knowing under free and rational thought, through a universal way of knowing, believing, and discussing. We have embedded white ways of knowing as normative without ever challenging how it replicates oppressive structures. The question then becomes how does our discourse justify what we believe? For many debaters it is the gaming aspect of debate that allows us to assume that our speech can be disconnected from the speech act. The speech can be defined as the arguments that are placed on the flow, and is evaluated in the context of what is the most logical and rational argument to win the round. The critical distinction is the speech act, which is the performance of that discourse. It’s not what you say, but what you justify. Understanding the speech act requires critically assessing the ramifications of the debaters discourse. Debate is in and of itself a performance. To claim that it is not is to be divorced from the reality of what we do. We must evaluate what a debaters performance does and justifies. […] Our performances and our decisions in the round, reflect the beliefs that we hold when we go back to our communities. As a community we must re-conceptualize this distinction the performance by the body and of the body by re-evaluating the role of the speech and the speech act. It is no longer enough for judges to vote off of the flow anymore. Students of color are being held to a higher threshold to better articulate why racism is bad, which is the problem in a space that we deem to be educational. It is here where I shift my focus to a solution. Debaters must be held accountable for the words they say in the round. We should no longer evaluate the speech. Instead we must begin to evaluate the speech act itself. Debaters must be held accountable for more than winning the debate. They must be held accountable for the implications of that speech. As educators and adjudicators in the debate space we also have an ethical obligation to foster an atmosphere of education. It is not enough for judges to offer predispositions suggesting that they do not endorse racist, sexist, homophobic discourse, or justify why they do not hold that belief, and still offer a rational reason why they voted for it. Judges have become complacent in voting on the discourse, if the other debater does not provide a clear enough role of the ballot framing, or does not articulate well enough why the racist discourse should be rejected. Judges must be willing to foster a learning atmosphere by holding debaters accountable for what they say in the round. They must be willing to vote against a debater if they endorse racist discourse. They must be willing to disrupt the process of the flow for the purpose of embracing that teachable moment. The speech must be connected to the speech act. We must view the entire debate as a performance of the body, instead of the argument solely on the flow. Likewise, judges must be held accountable for what they vote for in the debate space. If a judge is comfortable enough to vote for discourse that is racist, sexist, or homophobic, they must also be prepared to defend their actions. We as a community do not live in a vacuum and do not live isolated from the larger society. That means that judges must defend their actions to the debaters, their coaches, and to the other judges in the room if it is a panel. Students of color should not have the burden of articulating why racist discourse must be rejected, but should have the assurance that the educator with the ballot will protect them in those moments. Until we re-conceptualize the speech and the speech act, and until judges are comfortable enough to vote down debaters for a performance that perpetuates violence in the debate space, debaters and coaches alike will remain complacent in their privilege. As educators we must begin to shift the paradigm and be comfortable doing this. As a community we should stop looking at ourselves as isolated in a vacuum and recognize that the discourse and knowledge we produce in debate has real implications for how we think when we leave this space.

### AT: NC

#### Even if morality isn’t absolute, we can still create more prohibitions according to the convention of morality. For instance, I could prove that 2+2=4 isn’t true in all cases per skeptical arguments. But when having a conversation about math, it’s ok to make that assumption. Because in this round we value morality, we can act according to the convention of morality, as opposed to denying its existence.

#### Skep isn’t a reason to vote neg because it doesn’t provide an obligation to vote neg. Because I have a risk of offense over their terminal defense, you affirm

#### Risk analysis

#### Skepticism doesn’t guide action and thus you can ignore it even if you believe it 99%,

Ross ’06 (Jacob Ross - “Rejecting Ethical Deflationism” – Ethics 116, July 2006)

Another kind of nondiscriminating theory is ethical nihilism. [means] This is the view that the notions of good and bad and of right and wrong are illusions and that, objectively speaking, no option or state of affairs is better than any other, nor are any two options or states of affairs equally good. Thus, while uniform theories assign the same value to all of our options, nihilistic theories don’t **[skepticism] assign[s] [no] value**s **to any [act]** of our options. 2 Now **suppose** once again that **I have a degree of credence of .01 in [an ethical theory and]** TL from the previous example, but this time I have a degree of credence of **.99 in a nihilistic theory**, TN. And again suppose that **I must decide [to]** between **send**ing **the trolley** to the **right [or]** and sending it to the **left.** In this case we could reason as follows. **According to [the ethical theory]** TL, **it would be better** for me **to send the trolley** to the **left than** to send it to the **right.** And so my credence in TL gives me pro tanto subjective reason to send the trolley to the left. **The only way this could fail to be the [best]** most rational **option would be if my credence in [nihilism]** TN **gave me a sufficiently strong counter**vailing subjective **reason to send the trolley to the right. But** TN **[nihilism]** **implies that there would be nothing valuable** or disvaluable **about either alternative. And so [it]** my credence in TN **gives me no** subjective **reason to favor either** alternative. **Hence** the pro tanto subjective reason to send the trolley to the left is unopposed, and so this is the rational option. **I would choose this same option if I were to deliberate [with or without nihilism]** on the basis of TL alone. Thus, taking into accountTN **[It] has no effect on what I ultimately choose, and so [it]** TN **can** harmlessly **be excluded from consideration in deciding how to act.** That is, **[and] I can** harmlessly reject the nihilistic theory and **deliberate on the supposition that the [ethical]** nondeﬂationary **theory**, TL, **is true.** [~180 words ~ 30 seconds]

## AT: Contractarianism

### AT: FW

#### Morality over state legitimacy—begs the question of what makes a legitimate state which is a moral issue—my framework first

#### On Gauthier—1) relies on a psychological theory that we’re all self-interested but that’s not justified in the case 2) is/ought fallacy—just bc we’re self-interested doesn’t mean societal should accommodate that 3) False—there’re cases of genuine altruism, like ppl sacrificing their lives for others 4) Collapses to util—util maximizes everyone’s self-interest—people would want to live in a world where they have the highest probability of happiness, which is util

### AT: Contention

#### 1] No warrant for handguns key—longarms solve

#### 2] Turn—banning private ownership of guns fixes violations of the social contract

Wrubel n.d.

Wrubel, Paul. (Wrubel received his Ph.D from Stanford, is a the school board president in his home community) "John Locke, Guns and the Social Contract." *Paul Wrubel's Room 72.* n.d. Web. 11 Dec. 15 http://www.paulwrubel.com/john-locke-guns-and-the-social-contract/

The enormous explosion in the number of privately-held guns and their use in acts of mayhem and anger violates the fundamental terms of the social contract. With a horrific incident like Newtown, the government we established under the social contract to protect lives (property) has failed us in the most basic way. It has moved us backward toward that state of nature from which we emerged when we established our government. It has nothing specifically to do with guns per se. It [is] has everything to do with what happens when we as a people permit guns that in any way put citizens’ property in danger. A similar argument can be used to show that philosophically Citizens United violates the fundamental protection of ordinary citizens’ property (life, liberty and estate) by granting certain organizations the power to diminish the voting rights of the very people who are the only sovereign power in this nation under the terms of the social contract, the philosophical antecedent of the United States Constitution. Buying special influence in government of the people, by the people and for the people violates the property rights of every one of those people and is in direct contradiction to the terms of the social contract agreed to in 1776.

#### 3] Turn—allowing private guns creates the state of nature – anyone can be preemptively attacked by another. This can destroy any sense of security or stability, undermining the purpose of the social contract

#### 4] Turn—banning guns is consistent with laying down the right to private judgment – only the sovereign can rightfully use force

LaBossiere 13

Michael, philosophy prof @ Florida A&M, Is the denial of gun rights, in and of itself, a tyranny? 1-30-13 http://blog.talkingphilosophy.com/?p=6718

While Locke and Hobbes take rather different views of the state, they both argue that **when the transition is made from the state of nature to the state of civil society each person gives up her individual right to act as a vigilante, judge, and executioner. This would then place a limit on gun rights** (on the assumption people had guns in such a state). **In Hobbes’ case, the sovereign sets the laws and enforces them by the use of force. While the individual retains the right of self-preservation, all other rights are set by the Hobbesian sovereign. Thus, on Hobbes’ view the denial of gun rights would be just**, provided that the state was able to enforce its laws. Naturally, if the sovereign were to be gunned down and replaced by a new sovereign that supported individual gun rights, then that would be right—at least until the next sovereign took over.

## AT: Constitution

### AT: FW

#### 1. Constitution isn’t able to be interpreted objectively—it’s vague—that means we need some sort of external method to determine the obligations it prescribes which means my framework is a side constraint

#### 2. Collapses to util—everyone wants to avoid pain—that was the underlying motive of the founding fathers—they just thought adhering to the constitution would be the best method to maximize utility

#### 3. My framework precludes—you need an external framework to determine how we ought to amend it

### AT: Contention

#### 1. Amendments don’t matter under the framework since they’re not the original constitutive duties of the USFG

#### 2. If they do matter, normal means of the plan could include passing an amendment so no risk of offense

#### 3. Second amendment justifies gun control

Gopnik 10/2 (Adam Gopnik, staff writer, the New Yorker, “The Second Amendment is a Gun-Control Amendment,” The New Yorker, 2015)

In point of historical and constitutional fact, nothing could be further from the truth: the only amendment necessary for gun legislation, on the local or national level, is the Second Amendment itself, properly understood, as it was for two hundred years in its plain original sense. This sense can be summed up in a sentence: if the Founders hadn’t wanted guns to be regulated, and thoroughly, they would not have put the phrase “well regulated” in the amendment. (A quick thought experiment: What if those words were not in the preamble to the amendment and a gun-sanity group wanted to insert them? Would the National Rifle Association be for or against this change? It’s obvious, isn’t it?)

#### 4. Since the constitution was established in the 1700s, the arms it’s referring to are old rifles not handguns—couldn’t possibly be prescribing a duty regarding a modern phenomenon—for example if we didn’t call handguns arms at all when we invented them you couldn’t say it would apply

## AT: Testimony

## AT: Skep

### 1AR

#### Skepticism doesn’t guide action and thus you can ignore it even if you believe it 99%

Ross 06

Jacob Ross - “Rejecting Ethical Deflationism” – Ethics 116, July 2006

Another kind of nondiscriminating theory is ethical nihilism. [means] This is the view that the notions of good and bad and of right and wrong are illusions and that, objectively speaking, no option or state of affairs is better than any other, nor are any two options or states of affairs equally good. Thus, while uniform theories assign the same value to all of our options,nihilistic theories don’t **[skepticism] assign[s] [no] value**s **to any [act]** of our options. 2 Now **suppose** once again that **I have a degree of credence of .01 in [an ethical theory and]** TL from the previous example, but this time I have a degree of credence of **.99 in a nihilistic theory**, TN. And again suppose that **I must decide [to]** between **send**ing **the trolley** to the **right [or]** and sending it to the **left.** In this case we could reason as follows. **According to [the ethical theory]** TL, **it would be better** for me **to send the trolley** to the **left than** to send it to the **right.** And so my credence in TL gives me pro tanto subjective reason to send the trolley to the left. **The only way this could fail to be the [best]** most rational **option would be if my credence in [nihilism]** TN **gave me a sufficiently strong counter**vailing subjective **reason to send the trolley to the right. But** TN **[nihilism]** **implies that there would be nothing valuable** or disvaluable **about either alternative. And so [it]** my credence in TN **gives me no** subjective **reason to favor either** alternative. **Hence** the pro tanto subjective reason to send the trolley to the left is unopposed, and so this is the rational option. **I would choose this same option if I were to deliberate [with or without nihilism]** on the basis of TL alone. Thus, taking into accountTN **[It] has no effect on what I ultimately choose, and so [it]** TN **can** harmlessly **be excluded from consideration in deciding how to act.** That is, **[and] I can** harmlessly reject the nihilistic theory and **deliberate on the supposition that the [ethical]** nondeﬂationary **theory**, TL, **is true.**

# CP Blocks

## Theory

### Condo Bad

#### Neg conditionality is a voting issue—destroys 1AR strategic flexibility which is the arc of clash and also provides the neg with a no risk option to follow the path of least resistance—depth is key to debate’s political value, but condo encourages late developing debates where the neg win percentage is astronomically high—reject the debater since rejecting the argument is the definition of condo

### Solvency Advocate

#### Counterplans must have solvency advocates—otherwise they’re infinitely unpredictable which kills pre-round prep and research skills—if the CP hasn’t been proposed, it hasn’t been responded to either, which kills fairness—also means they’re not grounded in the topic lit—fairness is a voter since debate’s a competitive activity—education’s a voter since it’s the goal of debate—drop the debater because my time allocation is irreparably skewed

### Delay CPs bad

**A. Interpretation:** Neg can’t read a delay CP

**B. Violation:** They read a delay CP

#### C. Standards

**1. Ground**—they moot aff offense since the CP performs the exact same action as the plan—even worse than process CPs since it’s even passed the exact same way—I can’t make solvency deficits without justifying why now is key, but I’m skewed on that debate since neg can cherrypick the best possible timeframe. Ground k2 fairness—I need args to win.

#### 2. Reciprocity—fiat aff is forced to defend immediate implementation, but neg can choose from literally infinite time periods under their interp—they can craft the perfect CP. Reciprocity k2 fairness—ensures equal access to the ballot.

### Word PICs bad

#### A. Interpretation: Neg can’t read a word PIC—the counterplan must differ from the aff by more than just semantics—it must be textually competitive

#### B. Violation:

#### C. Standards:

#### **1. Ground—I can’t be expected to provide an offensive justification for every word I use—you force me to literally choose the best possible word for everything in the plan text—makes a neg ballot way too easy since a) they moot the entirety 1AC offense regarding the implementation of the plan, b) English has tons of synonyms which means no solvency deficits since the CP is exactly the same, c) I’m forced by the rez to use certain words and shouldn’t be punished for the wording committee’s poor choices in language, which also means it’s unreciprocal since neg can cherrypick any word they want. Ground k2 fairness—I need args to win**.

## AT: Gun Control

### 1AR TL

#### 1] Perm do both

#### 2] Perm do both the aff and all non-mutually exclusive parts of the counterplan—aff for handguns and CP for all other guns

#### 3] Solvency deficit—CP can’t solve advantages—

#### *a) Cartels requires a foundational shift in gun policy—that’s Melhako 12—you only get rid of some guns, but you don’t prevent theft of guns or illegal selling to cartels—it’s too moderate to solve*

#### *b) Gun culture—CP still signals that guns are OK to own in some instances—a categorical ban says all handguns are bad is key*

#### *c) IPV—most abusors are never reported—CP doesn’t solve*

*Gracia ’4 (Enrique, "Unreported cases of domestic violence against women: towards an epidemiology of social silence, tolerance, and inhibition," Journal of Epidemiology and Community Health, vol. 58, no. 7 (2004): 536-537) PO*

*Domestic violence against women has been considered a very serious public health problem.*[*4*](http://jech.bmj.com/content/58/7/536.full#ref-4) *But probably few public health problems share this feature of domestic violence [intimate partner violence] against women: a condition affecting about 25% of the population but only a few of those affected, between 2.5% and 15%,*[*5*](http://jech.bmj.com/content/58/7/536.full#ref-5)*report that they are suffering from that condition. Again, the image of the iceberg tells us that although we can estimate how many women are victims of domestic violence, we are not reaching them because most cases are unreported. This suggests that we are not dealing very well with this problem. Of course, it is important to further understand why female victims of domestic violence don’t report or don’t seek help. There are still few studies analysing those factors that motivate or inhibit women affected by domestic violence to find a way out.*[*6*](http://jech.bmj.com/content/58/7/536.full#ref-6)*The reasons so many cases go unreported are both personal (embarrassment, fear of retaliation, economic dependency) and societal (imbalanced power relations for men and women in society, privacy of the family, victim blaming attitudes). But we also need to know whether or not all those unreported cases are really invisible for the social environment surrounding the victims (friends, family, neighbours, social services, public health sector…). And if they are socially visible, but not reported, we need to respond accordingly.*

### Generic Solvency – Supply

#### Aff solves—a general ban reduces the number of guns in the hands of criminals

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993) PO

Another reason why a general ban is preferable to a targeted restriction is that, by virtue of reducing the overall "pool" of guns, it will reduce the real number of guns in the hands of criminals, even if it does increase the percentage of gun owners who are felons. The illegal means by which criminals would have to obtain guns-for instance buying them from unlicensed pawnbrokers, illegal transfers, buying them from friends who originally bought them legally, and outright theft-are all dependent on the presence of a substantial supply of legally purchased handguns on the market. My proposal would shrink this supply, and hence make it increasingly difficult for criminals to obtain handguns. It would also help to keep guns out of the hands of lawbreakers who have so far eluded conviction, and would hence qualify for gun ownership under a "targeted" ban. The "cost" of my proposal is that it does restrict many gun owners who never would have used their guns to commit homicide or any other crime. However, this price is more than justified by its far greater effectiveness than felons-only bans in reducing the number of murders, as it gradually and over the years reduces the number of handguns in circulation in the United States and chips away at the "gun culture" that encourages their use.

#### Gun control fails – we have too many guns already – only a mandatory buyback can solve

Matthews ’15: (Dylan Matthews, “What no politician wants to admit about gun control,” VOX, December 3, 2015//FT)

But let's be clear about precisely what kind of choice this is. Congress's decision not to pass background checks is not what's keeping the US from European gun violence levels. The expiration of the assault weapons ban is not behind the gap. What's behind the gap, plenty of research indicates, is that Americans have more guns. The statistics are mind-blowing: America has 4.4 percent of the world's population but almost half of [the world’s] its civilian-owned guns. Realistically, a gun control plan that has any hope of getting us down to European levels of violence is going to mean taking a huge number of guns away from a huge number of gun owners. Other countries have done exactly that. Australia enacted a mandatory gun buyback that achieved that goal, and saw firearm suicides fall as a result. But the reforms those countries enacted are far more dramatic than anything US politicians are calling for — and even they wouldn't get us to where many other developed countries are.

#### Supply side change key

#### 1] Most “illegal guns” are first legal but then stolen – Gangs prove

Willis ’16: (Willis, Tiffany. "Better Gun Control Would Reduce Gang-Related Violence." Organized Crime. Ed. David Haugen, Susan Musser, and Michael Chaney. Farmington Hills, MI: Greenhaven Press, 2014. Opposing Viewpoints. Rpt. from "Who Arms America's Gangs?: Responsible Gun Owners." LiberalAmerica.org. 2013. Opposing Viewpoints in Context. Web. 9 Jan. 2016//FT)

Turns out, the legal, responsible gun owner is mainly responsible for arming up the gangs of America. How? Several ways, including, but not limited to leaving guns unlocked that get stolen (about 240,000 each year) to selling them at gun shows and on the Internet to those who have cash in hand, and where no questions are asked.

#### 2] Those who meet can just sell – it’s a well-known business

Willis ’16: (Willis, Tiffany. "Better Gun Control Would Reduce Gang-Related Violence." Organized Crime. Ed. David Haugen, Susan Musser, and Michael Chaney. Farmington Hills, MI: Greenhaven Press, 2014. Opposing Viewpoints. Rpt. from "Who Arms America's Gangs?: Responsible Gun Owners." LiberalAmerica.org. 2013. Opposing Viewpoints in Context. Web. 9 Jan. 2016//FT)

We have to face the facts that criminals don't buy retail. They steal guns, they buy stolen guns, they buy perfectly legal guns from "responsible" gun owners at gun shows, they use straw purchasers to buy guns, and they buy from federally licensed dealers who know that the chance of the ATF [Bureau of Alcohol, Tobacco, Firearms, and Explosives] inspecting them is near zero because of ATF budgets. They know the weaknesses in the system and they exploit them. And we as a nation pay dearly for that in loss of life, in costs for emergency rooms, and in law enforcement costs associated with the thousands of deaths and injuries each and every year because of illegal guns.

#### Also means virtually no enforcement because shitty budges.

### Generic Turn – Selectivity

#### Gun control breeds a paradigm that polices people instead of guns – this justifies the discriminatory paradigm of racist enforcement like stop and frisk laws

Bovy ’15 (Bovy, Phoebe Maltz, “It’s Time to Ban Guns. Yes, All of Them,” The New Republic, December 10, 2015//FT)

Progressives who might have been able to brush off accusations of anti-rural-white classism may have a tougher time confronting arguments about the disparate impact gun control policies can have on marginalized communities. These, however, are criticisms of certain tentative, insufficient gun control measures—the ones that would leave small-town white families with legally-acquired guns well enough alone, allowing them to shoot themselves or one another and to let their guns enter the general population. Ban Guns, meanwhile, is not discriminatory in this way. It’s not about dividing society into ‘good’ and ‘bad’ gun owners. It’s about placing gun ownership itself in the ‘bad’ category. It’s worth adding that the anti-gun position is ultimately about police not carrying guns, either. That could never happen, right? Well, certainly not if we keep on insisting on its impossibility. Ask yourself this: Is the pro-gun side concerned with how it comes across? More to the point: Does the fact that someone opposes gun control demonstrate that they’re culturally sensitive to the concerns of small-town whites, as well as deeply committed to fighting police brutality against blacks nationwide? I’m going to go with no and no on these. (The NRA exists!) On the pro-gun-control side of things, there’s far too much timidity. What’s needed to stop all gun violence is a vocal ban guns contingent. Getting bogged down in discussions of what’s feasible keeps what needs to happen—no more guns—from entering the realm of possibility. Public opinion needs to shift. The no-guns stance needs to be an identifiable place on the spectrum, embraced unapologetically, if it’s to be reckoned with.

### AT: Background Checks

#### Doesn’t solve—ordinary citizens inflict most gun violence, not people with criminal records—case outweighs

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993) PO

Underlying the effort to target gun control at those who have prior convictions is the belief that it is these people who are most likely to misuse firearms in the future, especially in the case of homicide. However, in the case of homicides, this belief is vigorously challenged by advocates of gun control. Murder, the argument goes, is not confined to the ranks of those with criminal records. It is an act of terrible violence of which we are all capable if sufficiently provoked. Only 21% of murders occur during the commission of another felony.7 " In at least 48.8% of 1990 homicides, the victim was either a relative or an acquaintance of the murderer.79 In 1990, 34.5% of all murders resulted from domestic or other kinds of argument. "o Since we are all capable of heated arguments, we are all, in the wrong circumstances, capable of losing control and killing our opponent. There, but for the grace of God, we all go. Given the ease with which homicide can be committed with a handgun as opposed to other more primitive methods (e.g. clubs or knives), the ease of availability of handguns may well be the factor which transforms a heated argument into a lethal attack. The simple option of running away-which is very seldom mentioned in the anti-gun control literature-will be available far more often in the case of these other kinds of attacks than in the case of a handgun attack. Gun control measures that are targeted solely at those with criminal records fail to protect us from the most likely source of handgun murder: ordinary citizens.

#### Aff solves—a general ban reduces the number of guns in the hands of criminals

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993) PO

Another reason why a general ban is preferable to a targeted restriction is that, by virtue of reducing the overall "pool" of guns, it will reduce the real number of guns in the hands of criminals, even if it does increase the percentage of gun owners who are felons. The illegal means by which criminals would have to obtain guns-for instance buying them from unlicensed pawnbrokers, illegal transfers, buying them from friends who originally bought them legally, and outright theft-are all dependent on the presence of a substantial supply of legally purchased handguns on the market. My proposal would shrink this supply, and hence make it increasingly difficult for criminals to obtain handguns. It would also help to keep guns out of the hands of lawbreakers who have so far eluded conviction, and would hence qualify for gun ownership under a "targeted" ban. The "cost" of my proposal is that it does restrict many gun owners who never would have used their guns to commit homicide or any other crime. However, this price is more than justified by its far greater effectiveness than felons-only bans in reducing the number of murders, as it gradually and over the years reduces the number of handguns in circulation in the United States and chips away at the "gun culture" that encourages their use.

### --- AT: Solves Race

#### You link more—black people are disproportionally imprisoned and have records, which means comparatively more black people are excluded from owning guns than white people

### --- AT: PTX

#### You obviously link—all of your ev is about gun control in general—it’s still opposed by the NRA, which makes it hard to get through Congress—empirically proven: background checks have failed in the past even if popular

### --- AT: CP w/ Rights NC

#### CP violates the NC, too – you’re out of luck.

Hsiao ’15 [Timothy Hsiao, Professor at Florida State University, “Against Gun Bans and Restrictive Licensing”, Essays in Philosophy, Volume 16, Issue 2, Philosophy & Gun Control, 2015]

First, given the scope of our discussion, it is unjust to require prospective gun owners to justify their need to own a gun. If an activity is not otherwise immoral, then the burden of proof is on the opponent of said activity to give a reason in favor of restricting it. Even in cases in which the state has a paternalistic interest in restricting certain risky activities that are not in themselves immoral, those who show themselves to be capable of sufficiently mitigating the associated risk should be allowed to partake in said activities. Since we are assuming that there is a prima facie right to own a gun, it is incumbent upon the state or licensing authority to provide a reason to override the rights of prospective gun owners. Indeed, having a prima facie right to do something means that can one freely pursue some activity without having to justify his reason for doing so. Requiring someone to justify his [her] reasons for exercising a right defeats the very purpose of having said right. For example, requiring someone to justify invoking his 5th Amendment right to not self-incriminate would defeat the purpose of having that right, for in the very act of doing so one makes statements that may be used against him. Rights function as reasons in themselves, such that their possession grants immunity from having to give further justificatory reasons.xvii By putting the burden of proof on all prospective gun owners to justify their need to own a gun, it is assumed that their prima facie right to own a gun is either non-existent or already overridden.

## AT: Financial Liability

### 1AR

#### 1] Perm do both

#### 2] No solvency – a) criminals who want to kill obviously don’t care about liability – they’re already risking decades in jail b) status quo proves – you already face harms for handgun usage in court, and there’s still massive violence c) unenforceable—how do you know who shot who when? d) doesn’t solve illegal guns

#### 3] Perm—increase liability just for harms of the bullets—solves the link to the disad

#### 4] Turn—leads to false convictions—you can steals omeone else’s gun and they’ll be liable for the harm

#### 5] Liability won’t be enforced – constitutionality is a solvency deficit to the CP specifically,

Halbrook 83 (Stephen P. Halbrook, “Tort Liability for the Manufacture, Sale, and Ownership of Handguns?” Hamline Law Review, vol. 6, No. 2, July 1983, pages 351-82)

Suits alleging negligence by owners and dealers in **firearms which were misused** by third parties have been decided by determining whether the defendant knew or should have known of a clear potential for misuse. This potential may be based on the youth or on the criminal proclivities of the third party. **No court of record has held that status as an owner** or dealer **is sufficient in itself to constitute any kind of negligence.** To date, **only one reported decision has involved an assertion of strict liability for the legal distribution of a handgun, and in that case the court held a strict liability standard to be unwarranted**.4 foreseeable risk of harm and establishes no duty toward persons injured by the intervening acts of minors or criminals. **The rule under traditional negligence theory that liability does not exist for the ownership per se of a handgun may be buttressed by the existence of constitutional provisions guaranteeing a right to keep arms**. Establishment of a rule of negligence per se or strict liability for keeping a gun would entail a radical departure from existing law. **No court of record in the United States has ever held anyone liable for the** mere manufacture, sale, or **ownership of a handgun** used by a third part to injure another. While an owner or dealer may be negligent in entrusting or selling a handgun to a known minor or violent felon where injury may be reasonably foreseen, liability has never been imposed absent such special circumstances. A manufacturer may be held strictly liable for a defective handgun which causes injury through accidental discharge, but no such liability can stem from a handgun that is without defect. **The purpose of existing tort law is to enable members of the general public to enjoy the use of safe and reliable handguns**, not to deprive them of that use

#### 6] Can’t get a huge judgment against someone with no money, so no deterrence

Benston and Vandall 06 (By George J. Benston Frank Vandall April 2006: Legal Control Over the Supply of Handguns: An Analysis of the Issues, with Particular Attention to the Law and Economics of the Hamilton v. Beretta Lawsuit against Handgun Manufacturers Pace Law Review Volume 26 Issue 2 Spring 2006)

Criminals might be deterred from using handguns if **penalties** were **increased**. Cook and Leitzel suggest this remedy, but believe that it **is inadequate**, **because "in most instances the perpetrator of a gun crime is judgment-proof in the sense that he would be unable to pay a fine as large as the cost to the victim.** '415 Additional punishment also has been suggested. Cook and Leitzel also see this "solution" as inadequate: "even if all those who misused guns were apprehended and punished, there would still be too much gun misuse from society's point of view. '' 416 Cook and Ludwig, though, say: "we are encouraged by evidence suggesting that sentencing enhancements may reduce gun violence. 417 Kleck reviews many such empirical studies and concludes: "Discretionary add-on penalties for committing crimes with guns may reduce homicide, robbery, and rape, while mandatory ones do not. 4

## AT: PICs

### PICs Bad

#### 1. Reject PICs—they moot 1AC offense and explode neg ground since there are an infinite number of things they could have PICd out of—that kills substantive engagement which is uneducational—we also can’t check abuse with perms—that’s a voter because debate’s a competitive and educational activity—also means textual competition is best which justifies perm do the counterplan

### AT: Women

#### 2. Permutation do both

#### 3. Perm do the counterplan—it’s an example of the implementation of the aff since we don’t spec a group

#### 4. Can’t solve—men would still get guns from women

#### 5. Turn—it would cause unbelievable backlash—worse than the plan—which would fuel gun rights activists and encourage more illegal gun use

#### 6. Turn—it’s sexist since it reifies the stereotype that women are weaker and less aggressive and thus couldn’t use handguns violently

#### 7. No solvency—the counterplan’s infeasible and unconstitutional, which means it’s rolled back

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993) PO

A major theme of this paper has been that the benefits of self-defense from handguns are in general outweighed by the danger of handgun abuse. Since the vast majority of handgun abuse is by men, a suggested policy is a ban on male handgun ownership, while allowing women with a proven need for self-protection to own handguns. (In light of the high rate of violence against women, perhaps all women have this proven need.) However, such a sex-based ban would not be feasible. First, men could easily solicit women to "buy for" them. Second, a policy that discriminates against males would be subject to constitutional challenge. It appears, then, that the only way to allow women the defensive benefits of handguns is to make handguns available to both women and men.

**[READ “AT: Women Need Guns” in ‘Systemic Violence’]**

### AT: Black People

#### 1] Perm do the counterplan

#### 2] Doesn’t solve—you don’t take guns away from the *police*, who inflict massive violence

#### 3] Backlash DA—white policymakers will just increase police militarization and further criminalize blackness—that outweighs since a) they will find *excuses* to arrest people, especially if those handguns are used, entrenching the prison-industrial complex b) normal white people don’t have the same legal protection as policemen—black death is *more* likely in the world of the aff c) kills solvency—you only prop up constructions of blacks as dangerous—doesn’t solve root cause of your impacts

#### 4] State DA—you let the *state* determine who’s white and who’s black—obviously racist judges will use that power to deny guns to some and grant them to others

#### 5] Colonialism DA—the state uses identity categories to render the Other understandable to the settler colonialist—you destroy fluidity and self-determination

Kertzer & Arel ’02 (David and Dominique, Professor of Social Science, Professor of Anthropology, and Professor of Italian Studies at Brown University; Associate Professor of Political Science and Chair of Ukrainian Studies at the University of Ottawa, Canada, “Census and Identity: The Politics of Race, Ethnicity, and Language in National Censuses,” 2002) PO

State modernity and the impetus to categorize The significance of official state certification of collective identities through a variety of official registration procedures can be gleaned by contrasting these government efforts with the situation that existed before such bureaucratic categorization began. Collective identities are, of course, far from a recent innovation in human history. However, before the emergence of modern states, such identities had great fluidity and im- plied no necessary exclusivity. The very notion that the cultural identities of populations mattered in public life was utterly alien to the pre-modern state (Gellner 1983). That state periodically required some assessment of its population for purposes of taxation and conscription, yet remained largely indifferent to recording the myriad cultural identities of its sub- jects. As a result, there was little social pressure on people to rank-order their localized and overlapping identities. People often had the sense of simply being “from here.” The development of the modern state, however, increasingly instilled a resolve among its elites to categorize populations, setting boundaries, so to speak, across pre-existing shifting identities. James Scott refers to this process as the “state’s attempt to make a society legible,” which he regards as a “central problem of statecraft.” In order to grasp the complex social reality of the society over which they rule, leaders must devise a means of radically simplifying that reality through what Scott refers to as a “series of typifications.” Once these are made, it is in the interest of state authorities that people be understandable through the categories in which they fall. “The builders of the modern nation-state,” Scott writes, “do not merely describe, observe, and map; they strive to shape a people and landscape that will fit these techniques of observation” (1998:2–3, 76–77, 81). The emergence of nationalism as a new narrative of political legitimacy required the identification of the sovereign “nation” along either legal or cultural criteria, or a combination of both. The rise of colonialism, based on the denial that the colonized had political rights, required a clear demarcation between the settlers and the indigenes. The “Others” had to be collectively identified. In the United States, the refusal to enfranchise Blacks and native Americans led to the development of racial categories. The categorization of identities became part and parcel of the legitimating narratives of the national, colonial, and “New World” state. States thus became interested in representing their population, at the aggregate level, along identity criteria. The census, in this respect, emerged as the most visible, and arguably the most politically impor- tant, means by which states statistically depict collective identities. It is by no means the sole categorizing tool at the state’s disposal, however. Birth certificates are often used by states to compile statistics on the ba- sis of identity categories. These include ethnic nationality (a widespread practice in Eastern Europe); mother tongue, as in Finland and Quebec (Courbage 1998: 49); and race, in the United States (Snipp 1989: 33). Migration documents have also, in some cases, recorded cultural iden- tities. The Soviet Union, for instance, generated statistics on migra- tion across Soviet republics according to ethnicity. The US Immigration Service, from 1899 to 1920, classified newly arrived immigrants at Ellis Island according to a list of forty-eight “races or peoples,” gener- ally determined by language rather than physical traits (Brown 1996).

#### 6] Turn—ceding the authority to define race to the law reproduces racism

Harris ’93 (Cheryl I, Assistant Professor of Law, Chicago-Kent College of Law, Illinois Institute of Technology; B.A. I973, Wellesley College; J.D. 1978, Northwestern University, “Whiteness as Property,” *Harvard Law Review* 106 (8), The Harvard Law Review Association: 1707–91, 1993 doi:10.2307/1341787) PO **[CUT DOWN]**

Whiteness as property is also constituted through the reification of expectations in the continued right of white-dominated institutions to control the legal meaning of group identity. This reification manifests itself in the law's dialectical misuse of the concept of group identity as it pertains to racially subordinated peoples. The law has recognized and codified racial group identity as an instrumentality of exclusion and exploitation; however, it has refused to recognize group identity when asserted by racially oppressed groups as a basis for affirming or claiming rights.231 The law's approach to group identity reproduces subordination, in the past through "race-ing" a group - that is, by assigning a racial identity that equated with inferior status, and in the present by erasing racial group identity. / In part, the law's denial of the existence of racial groups is predicated not only on the rejection of the ongoing presence of the past,232 but is also grounded on a basic tenet of liberalism - that constitutional protections inhere in individuals, not groups.233 As informed by the Lockean notion of the social contract, the autonomous, freewill of the individual is central. Indeed, it is the individual who, in concert with other individuals, elects to enter into political society234 and to form a state of limited powers. This philosophical view of society is closely aligned with the antidiscrimination principle - the idea being that equality mandates only the equal treatment of individuals under the law.235 Within this framework, the idea of the social group has no place.236. / Although the law's determination of any "fact," including that of group identity, is not infinitely flexible, its studied ignorance of the issue of racial group identity insures wrong results by assuming a pseudo-objective posture that does not permit it to hear the complex dialogue concerning the identity question, particularly as it pertains to historically dominated groups. / Instead, the law holds to the basic premise that definition from above can be fair to those below, that beneficiaries of racially conferred privilege have the right to establish norms for those who have historically been oppressed pursuant to those norms, and that race is not historically contingent. Although the substance of race definitions has changed, what persists is the expectation of white-controlled institutions in the continued right to determine meaning - the reified privilege of power - that reconstitutes the property interest in whiteness in contemporary form. / In undertaking any definition of race as group identity, there are implicit and explicit normative underpinnings that must be taken into account. The "riddle of identity" is not answered by a "search for essences" or essential discoverable truth, nor by a search for mere "descriptions and re-descriptions. "237 Instead, when handling the complex issue of group identity, we should look to "purposes and effects, consequences and functions. "238 The questions pertaining to definitions of race then are not principally biological or genetic, but social and political: what must be addressed is who is defining, how is the definition constructed, and why is the definition being propounded. 239 Because definition is so often a central part of domination, critical thinking about these issues must precede and adjoin any definition. The law has not attended to these questions. Instead, identity of "the other" is still objectified, the complex, negotiated quality of identity is ignored, and the impact of inequitable power on identity is masked.240 These problems are illustrated in the land claim suit brought by the Mashpee, a Massachusetts Indian tribe.241 In Mashpee Tribe v. Town of Mashpee,242 the Mashpee sued to recover land that several Indians had conveyed to non-Indians in violation of a statute that barred alienation of tribal land to nonIndians without the approval of the federal government.243 In order to recover possession of the land, the Mashpee were required to prove that they were a tribe at the time of the conveyance.244 Although the trial judge admitted to some preliminary confusion about the appropriate definition of "tribe,"245 he ultimately accepted the standard articulated in prior case law that defined tribe as "a body of Indians of the same or similar race, united in a community under one leadership or government, and inhabiting a particular though sometimes ill-defined territory."246 The Mashpee were held not to be a tribe at the time the suit was filed, so that their claim to land rights based on group identity were rejected.247 The Mashpee's experience was filtered, sifted, and ultimately rendered incoherent through this externally constituted definition of tribe that incorporated outside criteria regarding race, leadership, territory, and community.248 The fact that the Mashpee had intermingled with Europeans, runaway slaves, and other Indian tribes signified to the jury and to the court that they had lost their tribal identity.249 But for the Mashpee, blood was not the measure of identity: their identity as a group was manifested for centuries by their continued relationship to the land of the Mashpee; their consciousness and embrace of difference, even when it was against their interest; and, their awareness and preservation of cultural traditions.250 Nevertheless, under the court's standard, the tribe was "incapable of legal selfdefinition."'251 Fundamentally, then, the external imposition of definition maintained the social equilibrium that was severely challenged by the Mashpee land claims. The Mashpee case presents new variations on old themes of race and property. Previous reified definitions of race compelled abandonment of racial identity in exchange for economic and social privilege.252 Under the operative racial hierarchy, passing is the ultimate assimilationist move - the submergence of a subordinate cultural identity in favor of dominant identity, assumed to achieve better societal fit within prevailing norms.253 The modern definition of "tribe" achieved similar results by misinterpreting the Mashpee's adaptation to be assimilation. The Mashpee absorbed and managed, rather than rejected and suppressed, outsiders; yet the court erased their identity, assuming that, by virtue of intermingling with other races, the Mashpee's identity as a people had been subsumed. The Mashpee were not "passing," but were legally determined to have "passed" - no longer to have distinct identity. This erasure was predicated on the assumption that what is done from necessity under conditions of established hierarchies of domination and subordination is a voluntary surrender for gain.254 Beyond the immediate outcome of the case lies the deeper problem posed by the hierarchy of the rules themselves and the continued retention by white-controlled institutions of exclusive control over definitions as they pertain to [of] the identity and history of dominated peoples. Although the law will always represent the exercise of state power in enforcing its choices, the violence done to the Mashpee and other oppressed groups results from the law's refusal to acknowledge the negotiated quality of identity. Whiteness as property assumes the form of the exclusive right to determine rules; it asserts that, against a framework of racial dominance and unequal power, fairness can result from a property rule, or indeed any other rule, that imposes an entirely externally constituted definition of group identity.255 Reality belies this presumption. In Plessy, the Court affirmed the right of the state to define who was white,256 obliterating aspects of social acceptance and self-identification as sources of validation and identity. The Mashpee were similarly divested of their identity through the state's exclusive retention of control over meaning in ways that reinforced group oppression. When group identity is a predicate for exclusion or disadvantage, the law has acknowledged it; when it is a predicate for resistance or a claim of right to be free from subordination, the law determines it to be illusory. This determinist approach to group identity reproduces racial subordination and reaffirms whiteness as property.

#### 7] Turn—law’s construction of black and white reinscribes racism

Haney-López ’96 (Ian, *White by Law: The Legal Construction of Race*, New York: New York UP, 1996) PO

Race is not, however, simply a matter of physical appearance and ancestry. Instead, it is primarily a function of the meanings given to these. On this level, too, law creates races. The statutes and cases that make up the laws of this country have directly contributed to defining the range of meanings without which notions of race could not exist. Recall the exclusion from citizenship of Ozawa and Thind. These cases established the significance of physical features on two levels. On the most obvious one, they established in stark terms the denotation and connotation of being nonWhite versus that of being White. To be the former meant one was unfit for naturalization, while to be the latter defined one as suited for citizenship. This stark division necessarily also carried important connotations regarding, for example, agency, will, moral authority, intelligence, and belonging. To be unfit for naturalization—that is, to be non-White—implied a certain degeneracy of intellect, morals, self-restraint, and political values; to be suited for citizenship—to be White—suggested moral maturity, selfassurance, personal independence, and political sophistication. These cases thus aided in the construction of the positive and negative meanings associated with racial difference, at least by giving such meanings legitimacy, and at most by actually fabricating them. The normative meanings that attach to racial difference—the contingent evaluations of worth, temperament, intellect, culture, and so on, which are at the core of racial beliefs—are partially the product of law. / Rather than simply shaping the social content of racial identity, however, the operation of law also creates the racial meanings that attach to features in a much more subtle and fundamental way: laws and legal decisions define which physical and ancestral traits code as Black or White, and so on. Appearances and origins are not White or non-White in any natural or presocial way. Rather, White is a figure of speech, a social convention read from looks. As Henry Louis Gates, Jr., writes, “Who has seen a black or red person, a white, yellow, or brown? These terms are arbitrary constructs, not reports of reality.”33 The construction of race thus occurs in part by the definition of certain features as White, other features as Black, some as Yellow, and so on. On this level, the prerequisite cases demonstrate that law can construct races by setting the standard by which features and ancestry should be read as denoting a White or a nonWhite person. When the Supreme Court rested its decision regarding Thind’s petition for naturalization on common knowledge, it participated in the creation of that knowledge, saying this person and persons like him do not “look” White. The prerequisite cases did more than decide who qualified as a “white person.” They defined the racial semiotics of morphology and ancestry. It is upon this seed of racial physicality that the courts imposed the flesh of normative racial meanings, establishing the social significance of the very racial categories they were themselves constructing. Only after constructing the underlying racial categories could the courts infuse them with legal meaning. The legal system constructs race by elaborating on multiple levels and in various contexts and forms the meaning systems that constitute race. / Finally, racial meaning systems are complex, containing both ideological and material components. That is, the common knowledge of race is grounded not only in the world of ideas, but in the material geography of social life. Here, too, law constructs race. U.S. social geography has inpart been constructed by the legal system. Racial categories are in one sense a series of abstractions, but their constant legal usage makes these abstractions concrete and material. Indeed, the very purpose of some laws was to create and maintain material differences between races, to structure racial dominance and subordination into the socioeconomic relations of this society. It is here that the operation of law effects the greatest, most injurious, and least visible influence in entrenching racial categories. As laws and legal decision-makers transform racial ideas into a lived reality of material inequality, the ensuing reality becomes a further justification for the ideas of race.

#### 8] Fluidity DA—static categorization by race crowds out alternative notions of identity founded in hybridity—turns case

Torres ’99 (maría de los Angeles, director and professor of Latin American and Latino Studies @ the University of Illinois in Chicago; has a PhD in Political Science from UMich, “In the land of mirrors: Cuban exile politics in the United States,” University of Michigan Press, 1999, pp. 188-189)

Furthermore, although these home countries were not direct colonies of the United States (with While rooted in the experience of slavery, ideas about race have affected conceptions of nationality as well. People of certain nationalities, Latin Americans included, are often not considered white (the exception of Puerto Rico), they do share some of the same dynamics of European countries and their colonies. The United States essentially took over the postcolonial relationship between Europe and its others in the southern part of the Western hemisphere. This economic and political relationship is accompanied by a conceptual framework that sees Latin America and Latin Americans as others. At the turn of the century U.S. views of Latin Americans were blatantly racist. While such images have given way to more sophisticated portrayals of Latin Americans, they are still influenced by these perspectives. Once in the United States, emigres from Latin America live and work in a society that has often excluded people of different cultures from full participation through a process of racialization. Unlike European societies, the United States had legalized slavery, along with which came a racist conception of who was entitled to participate in the public sphere. Racism permeated society.5 . For example, government forms ask applicants whether they are white, black, or Hispanic. "Hispanic"-an ethnic category-is equated conceptually with the racial categories of "white" and "black." While color is a concept that was part of the language of colonization, in the United States, it has unique elements that influence the way that exclusion and, consequently, struggles for inclusion have been waged.6 Yet, instead of challenging the categories themselves as exclusionary practices, many of the empowerment movements of the 1960s reproduced the same categories, albeit in a positive light. Race, ethnicity, and gender were exalted as essential elements in defining one's identity. For immigrant communities, these movements sought a reconnection to their cultural roots, a notion which suggested a return to a lost territory. In the past ten years rigid categories have given way to more complex understandings of ethnic and cultural identity. Curiously, some of these new ways of looking at identity are not direct responses to exclusionary categories of race and culture but, rather, a response to categories promoted by progressive movements that, in trying to develop a discourse of inclusion, promoted exclusionary categories themselves. As such, the conceptual paradigms were not transformed but applied differently. In the 1990s intellectuals, particularly artists and writers, began proposing more complex ways of understanding multiple identities and multiple points of cultural and political references that inform the postmodern experience and that have been particularly evident in communities made up of large numbers of immigrants. 7 There is a rich intellectual tradition in Latin America that can contribute to these debates. Unlike the British, whose settlement patterns led colonial societies to create rigid categories of insider and outsider (note the "one drop of blood" rule), the Spanish relied on armies to implement colonialism. In addition, the military was accompanied by Catholic missionaries who believed that, if converted, natives could be considered full human beings. As a result, in the Spanish colonies there was more intermingling of different peoples and a more flexible view of blending than in the British colonial tradition. Mestizaje and syncretism have long been accepted as contributing to the formation of Latin American identity. 8 There is an important debate about identity issues taking place in postcolonial Europe that can enrich the American debate. 9 One perspective that can be discerned from both is the need to understand cultures and, consequently, identities both as hybrids and as ongoing processes. In diaspora communities in particular the transculturation, or practice of clearly identifiable multiple cultures previously conceived as homogeneous (home and host cultures), produces new forms of cultural practices that can best be described as hybrid. In contrast to a paradigm that sees these cultures as proof of cultural diversity, Homi Bhabha suggests that they demonstrate the hybridity of cultures themselves. This may open the way "to conceptualizing an international culture based not on exoticism of multiculturalism or the diversity of cultures, but on the inscription and articulation of culture's hybridity" and in politics as a place "not located in any particular geographic space, nor ... tied to a single predetermined political position."

### AT: IPV PIC

#### 1] Perm do both

#### 2] Perm do the counterplan

#### 3] Turn—very few cases of IPV are reported—you keep guns in the hands of unreported abusers

Gracia ’4 (Enrique, "Unreported cases of domestic violence against women: towards an epidemiology of social silence, tolerance, and inhibition," Journal of Epidemiology and Community Health, vol. 58, no. 7 (2004): 536-537) PO

Domestic violence against women has been considered a very serious public health problem.[4](http://jech.bmj.com/content/58/7/536.full#ref-4) But probably few public health problems share this feature of domestic violence against women: a condition affecting about 25% of the population but only a few of those affected, between 2.5% and 15%,[5](http://jech.bmj.com/content/58/7/536.full#ref-5) report that they are suffering from that condition. Again, the image of the iceberg tells us that although we can estimate how many women are victims of domestic violence, we are not reaching them because most cases are unreported. This suggests that we are not dealing very well with this problem. Of course, it is important to further understand why female victims of domestic violence don’t report or don’t seek help. There are still few studies analysing those factors that motivate or inhibit women affected by domestic violence to find a way out.[6](http://jech.bmj.com/content/58/7/536.full#ref-6) The reasons so many cases go unreported are both personal (embarrassment, fear of retaliation, economic dependency) and societal (imbalanced power relations for men and women in society, privacy of the family, victim blaming attitudes). But we also need to know whether or not all those unreported cases are really invisible for the social environment surrounding the victims (friends, family, neighbours, social services, public health sector…). And if they are socially visible, but not reported, we need to respond accordingly.

#### 4] CP is the squo—federal law bans people convicted of domestic violence from owning handguns

Kim ’14 (E. Tammy, “Supreme Court limits gun ownership for domestic violence offenders,” AlJazeera America, 4/27/14) PO

People convicted of domestic-violence offenses may now find it harder to own a gun, after the Supreme Court this week clarified which crimes of “physical force” would bar misdemeanor convicts from possessing a firearm. In U.S. v. Castleman, the justices on Wednesday ruled in favor of the Obama administration and advocates for battered women, overturning a decision by the Sixth Circuit Court of Appeals, which covers Tennessee, Kentucky, Ohio and Michigan. James Castleman, the Tennessean at the center of the case, had been convicted of assaulting the mother of his child in 2001. When he was brought up on gun-related offenses in 2009, he was also charged with illegal possession: Federal prosecutors argued that his domestic-violence misdemeanor should have put guns permanently out of his reach. [Federal law forbids](http://www.law.cornell.edu/uscode/text/18/922) anyone convicted of a “misdemeanor crime of domestic violence” — defined as involving “physical force” — from possessing a firearm. Such misdemeanors vary in substance from state to state, however, and Castleman had pled guilty to a charge of causing “bodily injury” to the woman. His crime, he argued, was not sufficiently violent to bring him under the firearms ban. Writing for the Court, Justice Sonia Sotomayor disagreed. She emphasized that domestic violence is often prosecuted under battery laws and that it takes many forms, not all of which connote “a substantial degree of force.” Advocates for survivors praised the decision. “A woman’s risk of being killed increases 500 percent when a gun is present in domestic-violence settings,” said Maureen Curtis, associate vice president of criminal justice programs at [Safe Horizon](http://www.safehorizon.org/), a legal and social services organization. “The decision is great because it recognizes that domestic violence comes in many forms. It’s [is] not always physical or sexual violence.”

### AT: Queer PIC

#### 1] Perm do the counterplan

#### 2] Perm do both

#### 3] Double bind: either a) you force queer people to disclose their identities which is violent outing or b) CP doesn’t solve

#### 4] Turn—sexuality is unverifiable by the state—means straight people can claim to be gay to get gun but closeted queer people won’t want to out themselves to get a gun—kills solvency

#### 5] Suicide DA—queer people are disproportionally likely to kill themselves and handguns are a tool of choice—the CP increases queer death

#### 6] IPV DA—pretty sure there’s queer intimate partner violence too which is obviously bad—you don’t solve that but we do

#### 8] Police Backlash DA—if only queers have guns, police have *extra* excuse to stop, search, or shoot them—you give them the ability to claim “self-defense”—only increase anti-queer violence by the state

### AT: White People/Black Nationalism

#### 1] Perm do the counterplan

#### 2] Perm do both

#### 3] Turn—revolutionary black resistance generates backlash from the right and the left—it materially reverses efforts towards racial justice

Shelby ’07 – Tommie Shelby is the Professor of African and African American Studies and of Philosophy at Harvard University. (“We Who Are Dark: The Philosophical Foundations of Black Solidarity”)

Even if it were possible to effectively mobilize a multicorporatist Black Power program without running afoul of democratic values or compromising broader egalitarian concerns, this form of black solidarity may not be pragmatically desirable because of factors that are exogenous to black communities. Thus far I have discussed this program without much consideration for how other ethnoracial groups would be likely to respond to its institutional realization. It is reasonable to assume that Black Power politics would engender a countermobilization on the part of nonblacks, and not just whites, seeking to protect their own interests. Indeed, if Carmichael and Hamilton were correct about the essentially ethnic basis of American politics, we should fully expect this kind ofresistance. With increased political centralization and organizational autonomy, openly aimed at advancing black interests, we would also likely see a rise in white nationalism, where some whites increase their collective power through greater group self-organization and solidarity, as they have often done in the past and, to some extent, continue to do even now.51 Such resistance would not come solely from racists, however. Some potential allies would also be alienated by this nationalist program and may consequently become (further) disillusioned with the ideal of racial integration, indifferent to black problems, or disaffected from black people. Nonblacks would naturally view their relegation to "supporting roles" within black political organizations as a sign that their help in the struggle for racial justice is unneeded or unwanted; that their commitment to racial justice is in question; that blacks are more concerned with advancing their group interests than with fighting injustice; or that blacks do not seek a racially integrated society. Moreover, because those who have status and exercise power within institutions generally have a stake in preserving these institutional structures, even if they no longer serve the goals for which they were initially established, nonblacks have well-founded reasons to worry that black political organizations may, through sheer inertia or opportunism, become ends in themselves. Thus, although institutional autonomy might increase the organizational independence of blacks, the overall power of the group could be reduced because of isolation from other progressive forces. This situation would be particularly disastrous for blacks who live in minority-black electoral districts, for they cannot elect effective political representation without the support of like-minded nonblack citizens.

#### 4] Black Nationalism fails — it can’t escape the structures of the status quo – risk of a turn outweighs

Myers ’08 — John Myers, Professor of Sociology at Rowan University, Ph.D. in Sociology from Fordham University, 2008 (“African Americans: From Segregation to Modern Institutional Discrimination and Racism,” *Dominant-Minority Relations In America: Convergence In The New World,* Published by Pearson Press, ISBN: 0205706258, pg. 223)

Given this gloomy situation, it should not be surprising to find significant strength in pluralistic, nationalistic thinking, as well as resentment and anger in the African American community. Black Nationalism and Black Power remain powerful ideas, but their goals of development and autonomy for the African American community remain largely rhetorical sloganeering without the resources to bring them to actualization. / The situation of the African American community in the early 21st Century might be characterized as structural pluralism combined with inequality. The former characterization testifies to the failure of assimilation and the latter to the continuing effects, in the present, of a colonized origin. The problems that remain are less visible (Or perhaps just better hidden from the average white middle-class American) than those of previous eras. Responsibility is more diffused, the moral certainties of opposition to slavery or to Jim Crow laws are long gone, and contemporary racial issues must be articulated and debated in an environment of subtle prejudice and low levels of sympathy for the grievances of African Americans. Urban poverty, modern institutional discrimination, and modern racism are less dramatic and more difficult to measure than an overseer's whip, a lynch mob, or a sign that says "Whites Only," but they can be just as real and just as deadly in their consequences.

#### 5] Black Nationalism reinforces Eurocentrism and reproduces oppressive systems of patriarchy

Dunning 09 — Stefanie Dunning, Associate Professor of Black World Studies at Miami University, Ph.D. in Gender Studies from the University of California, Riverside, B.A. in Race Studies from Spelman College, 2009 (“No Tender Mercy,” *Queer in Black and White: Interraciality, Same Sex Desire, and Contemporary African American Culture*, Published by Indiana University Press, ISBN:9780253221094, pgs. 45-46)

Though black nationalism saw itself as contrary to the aims of Eurocentric nationalism, the relationship between the two cannot be so easily disavowed, as the epigraph from "The Black Panther Platform: What We Want, What We Believe" clearly demonstrates. Taken directly from the Declaration of Independence, this passage confirms that the goals of Black Nationalism are predicated on the American ideal of "rights" as "unalienable" and God-given. It is significant that this passage is not quoted in the platform, but included as if it were native to that document' It establishes that the Black Panther Party relied on a founding mainstream American principle to articulate their discontent with that very system. It is ironic, of course, that they are demanding the very things the Declaration of Independence purports to give all American citizens but fails to do because of systemic and institutionalized racism. But they are also bound to articulate their claims for "life, liberty and the pursuit of happiness" because these are the parameters set by Thomas Jefferson in 1776, and because—despite their attempts to disavow it—they are Americans. Hence the desire for a different politics is hindered by the anachronism of the nationalist movement's premise that the ideals upon which the United States is founded entitle all men to certain rights. In other words, the platform does not engage the entire range of possibility of the Declaration, but rather mobilizes around the rights of men while continuing to exclude women. This is a fitting metaphor for my argument that the politics of Black Nationalism do not markedly contrast with Eurocentric nationalism(s) because the project of resistance is one that is always already bound to the oppressive system which creates the need for a politics of antithesis. As one writer so eloquently put it, "To oppose something is to maintain it."

### --- Capitalism DA

#### Focus on Black Nationalism distracts from struggles to end capitalism — any concessions can cause a collapse of class politics — we access the larger internal link to racial oppression

Smith 07 — Sharon Smith, Socialist Author and Journalist, Editor of the Journal of International Socialism, Author of Women and Socialism: Essays on Women's Liberation, 2007 (“Mistaken identity: can identity politics liberate the oppressed?,” *International Socialism,* April 4th, Accessible Online at <http://isj.org.uk/mistaken-identity-can-identity-politics-liberate-the-oppressed/>, Accessed On 07-21-15)

Black nationalism today bears little resemblance to that which existed in the 1960s. Then, there was a strong working class component to the main black nationalist movements, and there was no room for doubting that the enemy was the state. These factors led to much greater political clarity among black activists. That kind of clarity is all but absent today. Mainstream black leaders—even black politicians—are able to use the language of black nationalism to justify doing nothing, or worse yet, to advance anti-working class policies. In its most backward forms nationalism has played a destructive role, rationalising deep divisions even between blacks and other oppressed groups in society. This was played out most dramatically during the Los Angeles rebellion in 1992, when among a significant layer of those who rebelled anger was deflected toward Koreans, who own a large number of small shops in South Central Los Angeles. In another recent instance, when Latinos claimed they were under-represented in Congress due to discriminatory voting policies, a group of black politicians argued that some groups of Latinos, such as Cuban-Americans, are not genuinely oppressed. For the most part, black nationalists today place little or no importance on building a movement, or on strategies for far reaching social change. If anything, the rising influence of ‘Afrocentrism’ among a section of black intellectuals has represented a step further away from challenging the status quo. Afrocentrism involves the complete and permanent separation between African history, philosophy and culture from all other civilisations. Afrocentric theorist Molefi Asante has argued for ‘every topic, economics, law communication, science, religion, history, literature, and sociology to be reviewed through Afrocentric eyes’. But, as Manning Marable argued about Afrocentrism: Vulgar Afrocentrists deliberately ignored or obscured the historical reality of social class stratification within the African diaspora. They essentially argued that the interests of all black people—from Joint Chiefs of Staff Chairman General Colin Powell to conservative Supreme Court Justice Clarence Thomas, to the black unemployed, homeless and hungry of America’s decaying urban ghettoes—were philosophically, culturally and racially the same. Even the scholarly Afrocentric approach…[did not] speak to historical materialism, except to attack it. As such, vulgar Afrocentrism was the perfect social theory for the upwardly mobile black petty bourgeoisie. As Marable argues, the audience for Afrocentrist theory and other forms of cultural nationalism is to be found mainly among the black middle class in the US, which has grown significantly since the end of the movements of the 1960s. In 1990 more than 15 percent of black households earned above $50,000, while thousands of upper middle class black families earn over $100,000 annually. For this section of blacks, the economic aspects of oppression—poverty, unemployment and police brutality—which daily plague the majority of the black population can be viewed as consequences of racism, rather than the other way round. Thus, while no black organisations have been built specifically on the basis of identity politics, many of the same assumptions have filtered through and gained acceptance among anti-racists, white and black. As Ambalavaner Sivanandan wrote in an argument against those in the Labour left influenced by Marxism Today’s attack on class politics in Britain: By personalising power, ‘the personal is the political’ personalises the enemy: the enemy of the black is the white as the enemy of the woman is the man. And all whites are racist like all men are sexist. Thus racism is the combination of power plus prejudice… Hence the fight against racism became reduced to a fight against prejudice, the fight against institutions and practices to a fight against individuals and attitudes.49 Sivanandan goes on to list a series of cases which demonstrate this point. In one case, people participating in Racial Awareness Training (RAT) classes were so worried about being insensitive that some were afraid to ask for black coffee. And as Sivanandan argues brilliantly, the tendency of this sort of approach has been to shift the terrain of the struggle against racism away from movements and towards individual lifestyle. This pattern, of course, closely resembles that of identity politics: Carried to its logical conclusion, just to be black, for instance, was politics enough: because it was in one’s blackness that one was aggressed, just to be black was to make a statement against such aggression. If, in addition, you ‘came out’ black, by wearing dreadlocks say, then you could be making several statements… Equally, you could make a statement by just being ethnic, against Englishness, for instance; by being gay, against heterosexism; by being a woman, against male domination. Only the white straight male, it would appear, had to go find his own politics of resistance somewhere out there in the world (as a consumer perhaps?) Everyone else could say: I am, therefore I resist. At times Marable also argues forcefully against the concepts of identity politics. In a recent issue of the journal Race and Class, for example, he called for ‘dismantling the narrow politics of racial identity and selective self interest’. And he argued that this requires that ‘the black leadership reaches out to other oppressed sectors of society, creating a common programme for economic and social justice.’52 Yet at other times both these writers accept some of the fundamental assumptions of identity politics, demonstrating the extent to which such ideas have gained acceptance within the left. As Alex Callinicos argued about Sivanandan: although he is very critical of the political conclusions drawn by Marxism Today, Sivanandan accepts its analysis of the emergence of a new ‘post-Fordist’ economy based on the destruction of the mass production industries and the working class these rested on. He merely argues that the effect of these changes is to shift the locus of resistance to the new ‘underclass’ which now bears the brunt of exploitation… This is… a remarkably pessimistic analysis.53 Marable’s drift into the terrain of identity politics has been more dramatic. In his article, ‘A New American Socialism’, which appeared recently in The Progressive, Marable attacks white socialists in the US for not having had more success in recruiting blacks to socialist organisations. He wrote: The left must ask itself why most socialist organisations… have consistently failed to attract black, Latino, and Asian-American supporters… The left should be challenged to explain why the majority of the most militant and progressive students of colour in the hip-hop contemporary culture of the 1990s have few connections with erstwhile white radicals, and usually perceive Marxism as just another discredited ‘white ideology’.54 Marable answers this question by arguing that, ‘No American socialist organisation has ever been able to attract substantial numbers of African-Americans and other people of colour, unless, from the very beginning, they were well represented inside the leadership and planning of that body’ [his emphasis].55 Here Marable is rewriting history. Some of the most important struggles against racism in this century were built by the Communist Party (CP) in the 1930s—which began as a predominantly white organisation. There was nothing extraordinary about the CP in this respect. Socialists of all races have traditionally been at the forefront in fighting racism. When nine young black men, known as the Scottsboro Boys, were sentenced to death on a trumped up rape charge in Alabama in 1931, the mainstream black organisations shunned their case. A leader of the National Association for the Advancement of Colored People (NAACP) even argued that his group did not want to be identified with a ‘gang of mass rapists’. Yet the mainly white Communist Party built an international campaign to free the Scottsboro Boys, and during the course of the 1930s united thousands of black and white workers around various anti-racism campaigns. Because the CP took fighting racism seriously, black membership in the party climbed to 5,000 by 1939.56 The contradictions in Marable’s analysis demonstrate why it is not enough to break halfway with identity politics. While in one breath he attacks identity politics using class arguments, in the next he attacks socialists using identity politics arguments. Without a sharp break from identity politics, it is all too easy to lose sight of the source of oppression—capitalism—and to forget that all those who are oppressed and exploited by the system have a common interest in ending it.

#### Turns case—cap perpetuates racism

McLaren and Torres ’99 (Peter Mclaren, professor of education at U of California, and Rudolfo Torres, Professor of Planning, Policy, and Design, Chicano/Latino Studies, and Political Science, “Racism and Multicultural Education: Rethinking ‘Race’ and ‘Whiteness’ in Late Capitalism”, Chapter 2 of “Critical Multiculturalism: Rethinking Multicultural and Antiracist Education”, edited by Stephen May, p.49-50, Questia)

According to Alex Callinicos (1993), racial differences are invented. Racism occurs when the characteristics which justify discrimination are held to be inherent in the oppressed group. This form of oppression is peculiar to capitalist societies; it arises in the circumstances surrounding industrial capitalism and the attempt to acquire a large labour force. Callinicos points out three main conditions for the existence of racism as outlined by Marx: economic competition between workers; the appeal of racist ideology to white workers; and efforts of the capitalist class to establish and maintain racial divisions among workers. Capital's constantly changing demands for different kinds of labour can only be met through immigration. Callinicos remarks that 'racism offers for workers of the oppressing “race” the imaginary compensation for the exploitation they suffer of belonging to the “ruling nation”' (1993, p. 39). Callinicos notes the way in which Marx grasped how 'racial' divisions between 'native' and 'immigrant' workers could weaken the working-class. United States' politicians like Pat Buchanan, Jesse Helms and Pete Wilson, to name but a few, take advantage of this division which the capitalist class understands and manipulates only too well-using racism effectively to divide the working-class. At this point you might be asking yourselves: Doesn't racism pre-date capitalism? Here we agree with Callinicos that the heterophobia associated with precapitalist societies was not the same as modern racism. Pre-capitalist slave and feudal societies of classical Greece and Rome did not rely on racism to justify the use of slaves. The Greeks and Romans did not have theories of white superiority. If they did, that must have been unsettling news to Septimus Severus, Roman Emperor from Ad 193 to 211, who was, many historians claim, a black man. Racism emerged during the seventeenth and eighteenth centuries from a key development of capitalism-colonial plantations in the New World where slave labour stolen from Africa was used to produce tobacco, sugar, and cotton for the global consumer market (Callinicos, 1993). Callinicos cites Eric Williams who remarks: 'Slavery was not born of racism: rather, racism was the consequence of slavery' (cited in Callinicos, 1993, p. 24). In effect, racism emerged as the ideology of the plantocracy. It began with the class of sugar-planters and slave merchants that dominated England's Caribbean colonies. Racism developed out of the 'systemic slavery' of the New World. The 'natural inferiority' of Africans was a way that Whites justified enslaving them. According to Callinicos: Racism offers white workers the comfort of believing themselves part of the dominant group; it also provides, in times of crisis, a ready-made scapegoat, in the shape of the oppressed group. Racism thus gives white workers a particular identity, and one which unites them with white capitalists. We have here, then, a case of the kind of 'imagined community' discussed by Benedict Anderson in his influential analysis of nationalism. (1993, p. 38) In short, to abolish racism in any substantive sense, we need to abolish global capitalism.

## AT: Agent CPs

### Agent CPs Bad

#### 1. Reject agent counterplans—they moot all core aff offense about the actual effects of the policy—allows them to win off the tiniest risk of a bad net benefit like politics—also not educational since people are rarely in a position to decide which actor does a policy— that’s a voter because debate’s a competitive and educational activity—also means textual competition is best which justifies perm do the counterplan

### 50 States Bad

#### Interp: the negative may not read the fifty states counterplan

#### Violation:

#### Prefer—

#### 1] Real-world education—multi-actor fiat is unrealistic and a self-serving debate construct—there are no authors who respond to the idea of all fifty states doing the same thing at once since it’s impossible—real world is key and outweighs since education is only valuable if we can use it later on

#### 2] Ground—it scoops any topical advantage and forces me to defend foreign policy perception or agenda-related arguments that are specific to my actor, but the more specific the debate is on the actor, the less we learn about gun violence and the actual topic lit [*You’ll say there’s lit on states doing it, but that’s not authors actively advocating states are better; it’s mostly about the fact that Congress is really polarized and the political process, which fiat solves and makes irrelevant as a debate argument]*

#### *3] Textuality—the CP is a topical CP since it uses the US—it’s not sufficient to negate since the your definitional burden is to negate—comes first since it’s constitutive of the activity*

#### Fairness is a voter—debate is a competitive activity that requires objective evaluation. Education is a voter—it’s the intrinsic purpose of debate. Drop the debater—the abuse has already occurred and my time allocation has shifted—there’s no argument to drop since the shell indicts the advocacy—justifies severance which skews my strat. Use competing interps—leads to a race to the top since we figure out the best possible norm and avoids judge intervention since there’s a clear briteline. No RVIs—counter-interp: they get an RVI if neg reads X or more shells—

#### a. Baiting—they’ll just bait theory and prep it out—justifies infinite abuse and results in a chilling effect

#### b. 1AR all-outs—they’ll collapse entirely to theory which crowds out substance and kills education

### AT: States

#### 2. Permutation do both—double solvency

#### 3. Doesn’t solve soft power—no one perceives state policies—it’s a question of the federal government’s influence and thus how other countries perceive the federal government—even if they solve the crime internal link that’s insufficient

#### 4. States don’t have the funding or infrastructure to enforce gun bans

Vainik ’06 (Vainik, Jennifer L.[ J.D. Candidate 2008, University of Minnesota Law School; B.A. 2002, Northwestern] "Kiss, Kiss, Bang, Bang: How Current Approaches to Guns and Domestic Violence Fail to Save Women's Lives." Minn. L. Rev. 91 (2006): 1113.)

Recent federal and state actions to disarm batterers are not saving women's lives. 125 Surprisingly, men appear to be experiencing the greatest benefit from recent domestic violence policies. 126 Since the 1970s, the number of men killed by their intimate partners decreased substantially while the number of women murdered in domestic violence incidents did not decline. 127 Recent changes that make it easier for women to escape violent relationships-such as the liberal issuance of restraining orders, 28 increased recognition of no-fault divorce, 29 and the proliferation of battered women's shelters 13 0 -likely account for the reduction in female-perpetrated homicides against intimate partners. Major flaws in federal and state approaches to disarming batterers cause women to continue to face deadly violence. At the state level, laws banning gun ownership by batterers are either non-existent or difficult to enforce. Overall, twenty-six states currently have no laws ordering batterers to disarm.' 3 ' In states that do have such laws, **conditions and qualifications reduce the likelihood of disarming batterers. For instance, a judge might decide that the gun removal provision "is not important" and refuse to impose the ban**.132 **If the batterer did not use the gun in the domestic violence incident, he might legally be able to continue to possess guns or purchase new ones.** 133 In many cases, the batterer may only be disarmed for a couple of days, 134 and, in states where the abuser must turn in his guns, he might simply refuse to comply. 135 **Even if states can legally disarm a batterer, many states lack the bureaucratic and physical infrastructure to actually remove the guns. Many states do not have gun repositories where the guns can be stored. 136 Nor do they have the extra law enforcement officers necessary to confiscate the weapons, catalogue them, store them in the repository, and return them once an order for protection terminates or a misdemeanant's record is expunged. 137 Some states have no system in place to inform victims, abusers, employers, and police officers of the gun bans.** 13s Other states do not have a common database wherein they may flag the abuser as a "prohibited person."' 39 Thus, gun dealers and police may not know whether an individual can or cannot possess or purchase a **gun. While the federal disarmament laws were enacted to ameliorate the inadequacies of the state laws, the federal gun bans also fail to achieve their goal. The federal bans are severely underenforced, enabling batterers to continue to possess guns.** From 2000 to 2002, 630 suspects were referred to U.S. Attorneys for violations of a firearms-related domestic offense, representing just three percent of the 18,653 federal suspects referred for alleged violent crimes. 140 This is a small fraction of the number of cases that can be prosecuted. Judge Posner of the Court of Appeals for the Seventh Circuit estimates that approximately **forty thousand people violate the gun bans each year by possessing firearms while subject to a protection order.**141 A much smaller percentage of suspects are actually convicted. 142 The federal time and money spent on enforcing weapons offenses is not commensurate to the scope of the problem. Additionally, Congress undermines the unique, national representative capacity of federal law. 194

* May not work as well for a Race aff – but there are other problems with that

## AT: Process CPs

Make sure to clarify mechanisms (criminalization, buyback, prohibiting sales vs. manufacturing vs. ownership) in CX

### AT: Bullets CP

#### 1] Perm do both

#### 2] Doesn’t solve—you don’t get rid of the massive stockpiles of ammo in circulation now

### AT: Manufacturing CP

#### 1] Perm do both

#### 2] Doesn’t solve—people can just buy guns from foreign companies—you don’t prohibit sales.

#### 3] Doesn’t solve—you don’t get rid of guns already in circulation—those will continue to inflict violence—permutation is the best option

## AT: Advantage CPs

### AT: Kyoto Treaty

#### 1] Perm do both

#### 2] Doesn’t solve—maybe the CP is *necessary* to solve soft power, but it’s not *sufficient*—you need both the CP and gun control

### AT: Marijuana

#### 1] Perm do both

#### 2] Doesn’t solve—cartels have diversified

Dickinson ’11 (Elizabeth, “[Legalizing Drugs Won’t Stop Mexico’s Brutal Cartels](http://foreignpolicy.com/2011/06/22/legalizing-drugs-wont-stop-mexicos-brutal-cartels/),” Foreign Policy, June 22, 2011 <http://foreignpolicy.com/2011/06/22/legalizing-drugs-wont-stop-mexicos-brutal-cartels/>) PO

In other words, the war on drugs may be taking its toll on the narcotics trade, but it hasn’t done anything to end the violence — a stubborn fact that runs counter to an emerging consensus about the drug war. Across Latin America, intellectuals, scholars, and even policymakers are increasingly arguing that there is just one thing that can bring an end to the narco-troubles: the decriminalization of the drug trade in the United States. Legalize and regulate use, proponents argue, and prices would drop and the illicit trade would disappear overnight. Cartels would be starved of their piece of the global illicit drug pie, which the UNODC has estimated at some [$320 billion](http://www.unodc.org/unodc/en/about-unodc/speeches/2011/March/2011-03-21-cnd-opening-session.html) per year. / But would legalization really work? With each day that passes, it looks like it wouldn’t be enough, for one overarching reason: The cartels are becoming less like traffickers and more like mafias. Their currency is no longer just cocaine, methamphetamines, or heroin, though they earn revenue from each of these products. As they have grown in size and ambition, like so many big multinational corporations, they have diversified. The cartels are now active in all types of illicit markets, not just drugs. / "Mexico is experiencing a change with the emergence of criminal organizations that, rather than being product-oriented — drug trafficking — are territorial based," says Antonio Mazzitelli, head of the UNODC office in Mexico City. They now specialize in running protection rackets of all kinds, he says, which might explain why the violence has gotten so bad: Mafias enforce their territorial control by force, killing anyone who resists or gets in the way. / "Before, we had organized crime, but operating strictly in narcotrafficking," adds Eduardo Guerrero Gutiérrez, a consultant and former advisor to the Mexican presidency. "Now we have a type of mafia violence … and they are extorting from the people at levels that are incredibly high — from the rich, from businesses." For this reason, Mazzitelli says, legalization would have "little effect." / Cartels such as the Zetas and La Familia, long categorized as drug-trafficking organizations, have transformed themselves into territorial overlords. With distinctive [zones of influence](http://www.bbc.co.uk/news/world-latin-america-10681249), complex organizations, and a wealth of manpower on which to draw, they act as shadow governments in the areas they control, collecting "[taxes](http://www.eluniversal.com.mx/notas/619652.html)" on local establishments and [taking a cut](http://retosinternacionales.campusqueretaro.net/2010/09/21/trafico-y-trata-de-personas-en-mexico-el-impuesto-de-lo-carteles/) of the profits from illegal immigration to the United States. "This fight is not solely or primarily to stop drug trafficking," Mexican President Felipe Calderón [told](http://www.scribd.com/doc/31715829/President-Felipe-Calderon-Speech-to-US-Congress-2010-Full-Text-English) the U.S. Congress in May 2010. "The aim is to ensure the safety of Mexican families, who are under threat of abuse and wanton acts of criminals." / The cartels’ expansion may have begun through their everyday narcotrafficking work — namely through money laundering, one of the most discussed topics in Mexican politics today. Once upon a time, this was quite easy to do; cartels could wire the money in convoluted ways or open new accounts to which individuals would report earnings from businesses that existed only on paper. / But as the government cracked down in recent years, the cartels got more creative. In June 2010, Mexican authorities put strict limits on how much cash any individual could deposit into a bank on any given day or in any given month. They also limited the amount of cash one could use to buy things like airplanes or cars. So the cartels started engaging in actual trade, which helps them launder their drug profits, explains Shannon O’Neil, a fellow at the Council on Foreign Relations in Washington. They buy consumer goods, such as televisions and perfumes, in the United States and sell them on the Mexican side at a loss. The revenues are "clean" money. And as a bonus, the cartels have a network of vendors ready and willing to sell illicit goods. / Other markets are entirely separate from the narcotics business. Perhaps the most dramatic example is oil, one of Mexico’s largest exports and increasingly a vehicle for illicit trade. On June 1, the country’s national oil company, Pemex, filed a [lawsuit](http://news.yahoo.com/s/ap/20110601/ap_on_bi_ge/lt_mexico_us_oil) accusing nine U.S. companies of colluding with criminals linked to the drug trade to sell as estimated $300 million worth of stolen oil since 2006. That’s an amount equal to the entire cocaine market in Mexico, says UNODC’s Mazzitelli. In other words, if the cocaine trade dried up, the cartels would still have access to an equally large source of revenue. / Equally troubling is the firearms trade, which has a direct link both to the violence and to the sustainment of the criminal organizations working across this country of 107 million. There are no reliable estimates of just how big this market is, but according to a recent U.S.[Senate investigation](http://feinstein.senate.gov/public/index.cfm?Fuseaction=Files.View&FileStore_id=beaff893-63c1-4941-9903-67a0dc739b9d), some 87 percent of the weapons used by the cartels are sourced from the United States. "If this were Southeast Asia, they’d be bombing the gun stores in Arizona, as if that’s the Ho Chi Minh trail," says Ted Lewis, head of the human rights program at Global Exchange.

## AT: Cap CP

### AT: Cap CP

#### This is absurd—

#### 1] Doesn’t solve—you cannot fight *tanks* with *handguns—*even if cap is bad, any potential revolution will be squashed—reform through the system is better

#### 2] Handguns not key—all your ev says guns in general—assault weapons and long guns solve

#### 3] Perm do the counterplan

#### 4] Backlash DA—capitalists can use guns too and there are comparatively more of them—guns will more likely help crush the movement than start it

#### 5] Perm do both

#### 6] Perm do the aff then the counterplan

#### 7] Perm do the counterplan then the aff

#### 8] Perm do the aff and all non-competitive parts of the counterplan

# DA Blocks

## Tricks

### Extinction O/W

#### Magnitude first—we must calculate future descendants

Matheny 7 (Jason, Department of Health Policy and Management, Bloomberg School of Public Health, Johns Hopkins University, “Reducing the Risk of Human Extinction,” Risk Analysis, Vol 27, No 5)

**Even if extinction events are improbable, the expected values of countermeasures could be large, as they include the value of all future lives. This introduces a discontinuity between** the CEA of **extinction and nonextinction risks.** **Even though the risk to any existing individual of dying in a car crash is much greater than the risk of dying in an asteroid impact, asteroids pose a much greater risk to the existence of future generations** (we are not likely to crash all our cars at once) (Chapman, 2004). **The “death-toll” of an extinction-level asteroid impact is the population of Earth, plus all the descendents of that population who would otherwise have existed if not for the impact. There is thus a discontinuity between risks that threaten 99% of humanity and those that threaten 100%.**

#### Death controls the internal link to every moral value and impact

Jonas 96 (Hans, Former Alvin Johnson Prof. Phil. – New School for Social Research and Former Eric Voegelin Visiting Prof. – U. Munich, “Morality and Mortality: A Search for the Good After Auschwitz”, p. 111-112)

With this look ahead at an ethics for the future, we are touching at the same time upon the question of the future of freedom. The unavoidable discussion of this question seems to give rise to misunderstandings. My dire prognosis that not only our material standard of living but also our democratic freedoms would fall victim to the growing pressure of a worldwide ecological crisis, until finally there would remain only some form of tyranny that would try to save the situation, has led to the accusation that I am defending dictatorship as a solution to our problems. I shall ignore here what is a confusion between warning and recommendation. But I have indeed said that such a **tyranny would still be better than total ruin**; thus, I have ethically accepted it as an alternative. I must now defend this standpoint, which I continue to support, before the court that I myself have created with the main argument of this essay. For **are we not contradicting ourselves in prizing physical survival at the price of freedom**? Did we not say that freedom was the condition of our capacity for responsibility—and that this capacity was a reason for the survival of humankind?; **By tolerating tyranny as an alternative to physical annihilation are we not violating the principle we established: that the How of existence must not take precedence over its Why?** **Yet we can make a terrible concession to the primacy of physical survival in** the conviction that the ontological capacity for freedom, inseparable as it is from man's being, cannot really be extinguished, **only temporarily banished from the public realm**. **This conviction can be supported by experience we are all familiar with. We have seen that even in the most totalitarian societies the urge for freedom on the part of some individuals cannot be extinguished, and this renews our faith in human beings.** Given this faith, we have reason to hope that, as long as there are human beings who survive**,** the image of God will continue to exist along with them and will wait in concealment for its new hour. **With that hope**—which in this particular case takes precedence over fear—**it** **is** permissible**, for the sake of physical survival, to accept if need be a temporary absence of freedom in the external affairs of humanity**. This is, I want to emphasize, a worst-case scenario, and it is the foremost task of responsibility at this particular moment in world history to prevent it from happening. This is in fact one of the noblest of duties (and at the same time one concerning self-preservation), on the part of the imperative of responsibility to avert future coercion that would lead to lack of freedom by acting freely in the present, thus preserving as much as possible the ability of future generations to assume responsibility. But more than that is involved. **At stake is the preservation of Earth's entire miracle of creation, of which our human** existence **is a part and before which [hu]man reverently bows,** even without philosophical "grounding." Here too faith may precede and reasonfollow; it is faith that longs for this preservation of the Earth (fides quaerens intellectum), and reason comes as best it can to faith's aid with arguments, not knowing or even asking how much depends on its success or failure in determining what action to take. With this confession of faith we come to the end of our essay on ontology.

### Systemic O/W

#### 1. Risk analysis requires you multiply every step in the link chain to get a probability estimate. If the DA has six steps, then even if each has a 90% success rate, the likelihood of the final impact is only .9 to the 6th power, which is less than a tenth of a percent.

#### 2. Systemic harms happen over a theoretically infinite time period, meaning they cause even more suffering

#### 2. Historically, big threats are constructed by policymakers to avoid structural violence, so prefer my impacts to counter-act it,

Jackson 12—Director of the National Centre for Peace and Conflict Studies, the University of Otago. Former. Professor of International Politics at Aberystwyth University (8/5/12, Richard, The Great Con of National Security, http://richardjacksonterrorismblog.wordpress.com/2012/08/05/the-great-con-of-national-security/)

It may have once been the case that being attacked by another country was a major threat to the lives of ordinary people. It may also be true that there are still some pretty serious dangers out there associated with the spread of nuclear weapons. For the most part, however, most of what you’ve been told about national security and all the big threats which can supposedly kill you is one big con designed to distract you from the things that can really hurt you, such as the poverty, inequality and structural violence of capitalism, global warming, and the manufacture and proliferation of weapons – among others. The facts are simple and irrefutable: you’re far more likely to die from lack of health care provision than you are from terrorism; from stress and overwork than Iranian or North Korean nuclear missiles; from lack of road safety than from illegal immigrants; from mental illness and suicide than from computer hackers; from domestic violence than from asylum seekers; from the misuse of legal medicines and alcohol abuse than from international drug lords. And yet, politicians and the servile media spend most of their time talking about the threats posed by terrorism, immigration, asylum seekers, the international drug trade, the nuclear programmes of Iran and North Korea, computer hackers, animal rights activism, the threat of China, and a host of other issues which are all about as equally unlikely to affect the health and well-being of you and your family. Along with this obsessive and perennial discussion of so-called ‘national security issues’, the state spends truly vast sums on security measures which have virtually no impact on the actual risk of dying from these threats, and then engages in massive displays of ‘security theatre’ designed to show just how seriously the state takes these threats – such as the x-ray machines and security measures in every public building, surveillance cameras everywhere, missile launchers in urban areas, drones in Afghanistan, armed police in airports, and a thousand other things. This display is meant to convince you that these threats are really, really serious. And while all this is going on, the rulers of society are hoping that you won’t notice that increasing social and economic inequality in society leads to increased ill health for a growing underclass; that suicide and crime always rise when unemployment rises; that workplaces remain highly dangerous and kill and maim hundreds of people per year; that there are preventable diseases which plague the poorer sections of society; that domestic violence kills and injures thousands of women and children annually; and that globally, poverty and preventable disease kills tens of millions of people needlessly every year. In other words, they are hoping that you won’t notice how much structural violence there is in the world. More than this, they are hoping that you won’t notice that while literally trillions of dollars are spent on military weapons, foreign wars and security theatre (which also arguably do nothing to make any us any safer, and may even make us marginally less safe), that domestic violence programmes struggle to provide even minimal support for women and children at risk of serious harm from their partners; that underfunded mental health programmes mean long waiting lists to receive basic care for at-risk individuals; that drug and alcohol rehabilitation programmes lack the funding to match the demand for help; that welfare measures aimed at reducing inequality have been inadequate for decades; that health and safety measures at many workplaces remain insufficiently resourced; and that measures to tackle global warming and developing alternative energy remain hopelessly inadequate. Of course, none of this is surprising. Politicians are a part of the system; they don’t want to change it. For them, all the insecurity, death and ill-health caused by capitalist inequality are a price worth paying to keep the basic social structures as they are. A more egalitarian society based on equality, solidarity, and other non-materialist values would not suit their interests, or the special interests of the lobby groups they are indebted to. It is also true that dealing with economic and social inequality, improving public health, changing international structures of inequality, restructuring the military-industrial complex, and making the necessary economic and political changes to deal with global warming will be extremely difficult and will require long-term commitment and determination. For politicians looking towards the next election, it is clearly much easier to paint immigrants as a threat to social order or pontificate about the ongoing danger of terrorists. It is also more exciting for the media than stories about how poor people and people of colour are discriminated against and suffer worse health as a consequence. Viewed from this vantage point, national security is one massive confidence trick – misdirection on an epic scale. Its primary function is to distract you from the structures and inequalities in society which are the real threat to the health and wellbeing of you and your family, and to convince you to be permanently afraid so that you will acquiesce to all the security measures which keep you under state control and keep the military-industrial complex ticking along. Keep this in mind next time you hear a politician talking about the threat of uncontrolled immigration, the risk posed by asylum seekers or the threat of Iran, or the need to expand counter-terrorism powers. The question is: when politicians are talking about national security, what is that they don’t want you to think and talk about? What exactly is the misdirection they are engaged in? The truth is, if you think that terrorists or immigrants or asylum seekers or Iran are a greater threat to your safety than the capitalist system, you have been well and truly conned, my friend. Don’t believe the hype: you’re much more likely to die from any one of several forms of structural violence in society than you are from immigrants or terrorism. Somehow, we need to challenge the politicians on this fact.

#### [4] People have a cognitive bias against high probability-low magnitude impacts. You should undervalue their DAs.

Yudkowsky 6 [Eliezer, 8/31/2006. Singularity Institute for Artificial Intelligence Palo Alto, CA. “Cognitive biases potentially affecting judgment of global risks, Forthcoming in Global Catastrophic Risks, eds. Nick Bostrom and Milan Cirkovic,[singinst.org/upload/cognitive-biases.pdf](http://singinst.org/upload/cognitive-biases.pdf).

4. The Conjunction Fallacy Linda is 31 years old, single, outspoken, and very bright. She majored in philosophy. As a student, she was deeply concerned with issues of discrimination and social justice, and also participated in anti-nuclear demonstrations. Rank the following statements from most probable to least probable: 1. Linda is a teacher in an elementary school. 2. Linda works in a bookstore and takes Yoga classes. 3. Linda is active in the feminist movement. 4. Linda is a psychiatric social worker. 5. Linda is a member of the League of Women Voters. 6. Linda is a bank teller. 7. Linda is an insurance salesperson. 8. Linda is a bank teller and is active in the feminist movement. 89% of 88 undergraduate subjects ranked (8) as more probable than (6) (Tversky and Kahneman 1982). Since the given description of Linda was chosen to be similar to a feminist and dissimilar to a bank teller, (8) is more representative of Linda’s description. However, ranking (8) as more probable than (6) violates the conjunction rule of probability theory which states that p(A & B) \_ p(A). Imagine a sample of 1,000 women; surely more women in this sample are bank tellers than are feminist bank tellers. Could the conjunction fallacy rest on subjects interpreting the experimental instructions in an unanticipated way? Perhaps subjects think that by “probable” is meant the probability of Linda’s description given statements (6) and (8), rather than the probability of (6) and (8) given Linda’s description. Or perhaps subjects interpret (6) to mean “Linda is a bank teller and is not active in the feminist movement.” **Although many creative alternative hypotheses have been invented to explain away the conjunction fallacy, the conjunction fallacy has survived all experimental tests meant to disprove it;** see e.g. Sides et al. (2002) for a summary. For example, the following experiment excludes both of the alternative hypotheses proposed above: Consider a regular six-sided die with four green faces and two red faces. The die will be rolled 20 times and the sequence of greens (G) and reds (R) will be recorded. You are asked to select one sequence from a set of three and you will win $25 if the sequence you chose appears on successive rolls of the die. Please check the sequence of greens and reds on which you prefer to bet. 1. RGRRR 2. GRGRRR 3. GRRRRR 125 undergraduates at UBC and Stanford University played this gamble with real payoffs. 65% of subjects chose sequence (2) (Tversky and Kahneman 1983). Sequence (2) is most representative of the die, since the die is mostly green and sequence (2) contains the greatest proportion of green faces. However, sequence (1) dominates sequence (2) because (1) is strictly included in (2), to get (2) you must roll (1) preceded by a green face. In the above task, the exact probabilities for each event could in principle have been calculated by the students. However, rather than go to the effort of a numerical calculation, it would seem that (at least 65% of) the students made an intuitive guess, based on which sequence seemed most “representative” of the die. Calling this “the representativeness heuristic” does not imply that students deliberately decided that they would estimate probability by estimating similarity. Rather, the representativeness heuristic is what produces the intuitive sense that sequence (2) “seems more likely” than sequence (1). In other words the “representativeness heuristic” is a built-in feature of the brain for producing rapid probability judgments rather than a consciously adopted procedure. We are not aware of substituting judgment of representativeness for judgment of probability. **The conjunction fallacy** similarly **applies to futurological forecasts**. Two independent sets of professional analysts at the Second International Congress on Forecasting were asked to rate, respectively, the probability of “A complete suspension of diplomatic relations between the USA and the Soviet Union, sometime in 1983” or “A Russian invasion of Poland, and a complete suspension of diplomatic relations between the USA and the Soviet Union, sometime in 1983.” The second set of analysts responded with significantly higher probabilities (Tversky and Kahneman 1983). In Johnson et al. (1993), MBA students at Wharton were scheduled to travel to Bangkok as part of their degree program. Several groups of students were asked how much they were willing to pay for terrorism insurance. One group of subjects was asked how much they were willing to pay for terrorism insurance covering the flight from Thailand to the US. A second group of subjects was asked how much they were willing to pay for terrorism insurance covering the round-trip flight. A third group was asked how much they were willing to pay for terrorism insurance that covered the complete trip to Thailand. These three groups responded with average willingness to pay of $17.19, $13.90, and $7.44 respectively. **According to probability theory,**adding additional detail onto a story must render the story less probable. It is less probable that Linda is a feminist bank teller than that she is a bank teller, since all feminist bank tellers are necessarily bank tellers.Yet human psychology seems to follow the rule that adding an additional detail can make the story more plausible.People might pay more for international diplomacy intended to prevent nanotechnological warfare by China, than for an engineering project to defend against nanotechnological attack from any source. Thesecond threat scenario is less vivid and alarming, but the defense is more useful because it is more vague. More valuable still would be strategies which make humanity harder to extinguish without being specific to nanotechnologic threats—such as colonizing space, or see Yudkowsky (2008) on AI. Security expert Bruce Schneier observed (both before and after the 2005 hurricane in New Orleans) that the U.S. government was guarding specific domestic targets against “movie-plot scenarios” of terrorism, at the cost of taking away resources from emergency-response capabilities that could respond to any disaster (Schneier 2005). Overly detailed reassurances can also create false perceptions of safety: “X is not an existential risk and you don’t need to worry about it, because A, B, C, D, and E”; where the failure of any one of propositions A, B, C, D, or E potentially extinguishes the human species. “We don’t need to worry about nanotechnologic war, because a UN commission will initially develop the technology and prevent its proliferation until such time as an active shield is developed, capable of defending against all accidental and malicious outbreaks that contemporary nanotechnology is capable of producing, and this condition will persist indefinitely.” Vivid, specific scenarios can inflate our probability estimates of security, as well as misdirecting defensive investments into needlessly narrow or implausibly detailed risk scenarios**.**More generally, people tend to overestimate conjunctive probabilitiesand underestimate disjunctive probabilities (Tversky and Kahneman 1974). That is, people tend to overestimate the probability that, e.g., seven events of 90% probability will all occur. Conversely, people tend to underestimate the probability that at least one of seven events of 10% probability will occur. Someone judging whether to, e.g., incorporate a new startup, must evaluate the probability that many individual events will all go right (there will be sufficient funding, competent employees, customers will want the product) while also considering the likelihood that at least one critical failure will occur (the bank refuses a loan, the biggest project fails, the lead scientist dies). This may help explain why only 44% of entrepreneurial ventures2 survive after 4 years (Knaup 2005). Dawes (1988, 133) observes: “In their summations lawyers avoid arguing from disjunctions (‘either this or that or the other could have occurred, all of which would lead to the same conclusion’) in favor of conjunctions. Rationally, of course, disjunctions are much more probable than are conjunctions.” The scenario of humanity going extinct in the next century is a disjunctive event. It could happen as a result of any of the existential risks we already know about—or some other cause which none of us foresaw. Yet for a futurist, disjunctions make for an awkward and unpoetic-sounding prophecy.

#### [5] Debate’s race to hyperbole reduces our ability to discuss and compare impacts. As a critic you must be more skeptical of “risk of a link” logic and more willing to dismiss ridiculously improbable scenarios.

Odekirk 10 Scott, debate coach 8/6/10, Impact Hyperbole: A Dilemma of Contemporary Debate Practice, http://puttingthekindebate.com/2010/08/26/impact-hyperbole-a-dilemma-of-contemporary-debate-practice/

It seems as though debate is stuck in a loop of nuclear wars and no value to life. We have a difficult time of conceiving of a terminal impact that doesn’t end in some ultimate destruction. Without terminal impacts such as nuclear war or the root of all claims, we have a tough time comparing and weighing impacts. Our arguments for spill over connect even the most improbable of scenarios. Take for example our Africa war arguments. Given that Africa, as a continent, largely lack nuclear capabilities the chances of a conflict escalating in this area of the world are slim at best, but still debate returns to evidence written by The Rabid Tiger Project. In fact if you google “http://www.rabidtigers.com/rtn/newsletterv2n9.html”, you will find the great majority of the hits are debate links. This particular scenario is largely a debate creation and the scholarly world around it seems to have largely dismissed this single article as lacking credibility. Even in a debate context, this particular evidence is difficult to take seriously with a big debate on the line. Beyond the most terrible of impact evidence though, a world of equally terrifying scenario’s exist. According to the debate community, we face nuclear war because of any of the following: economic collapse in any number of countries across the globe, a lack of US leadership, use of US hard power (pre-emption, imperialist expansion, etc), India-Pakistan conflict, Middle East escalation, Iran nuclearization, capitalism, the lack of capitalism, patriarchy, racism, nuclear terrorism, US response to a terrorist attack, Taiwan independence, Chinese collapse, Russian aggression, Russian collapse, or accidental launch of nuclear weapons. That’s a short list and I am certain it doesn’t contain all the ways a nuclear war could break out as described in debate scenarios. If one listened closely to the debate community, a sense of inevitable doom would most certainly replace any belief in a long life. As much as it would seem I am poking fun at the policy debate community, kritik debaters caught in the same loop. External impacts to our criticisms are often extinction claims. A great number of K’s end in root of all claims or no value to life claims. In a very similar pattern, our kritiky impacts reflect the same sense of terminal destruction we find in the policy community we often subject to kritik. Possibly living under the sword of Damocles has had more impact on our psyche than Americans give it credit. Possibly living in the information age has resulted in the ability to read any old nut as great impact evidence without the effective critical thinking skills to discern who or what qualifies as credible. Possibly debate as a community lacks a language by which to communicate the dangers of racism, sexism, homophobia, economic justice, poor foreign relations, or terrorism. Is this tumble into impact hyperbole a problem? Well, it definitely does not reflect the sort of care a scholar takes in his/her work. It lacks the humility of limited claims backed only with probable warrants. Although there are some scenarios which could escalate into extinction or which do explain important pre-conditions for violence or meaningful living, these scenarios are much more limited than the debate community gives credence. In theory, the repetition of these hyperboles naturalize them or, at least, make them appear natural/normal. Our community convinces itself the impacts we discuss are credible threats. We are a population believing in an exaggerated reality – a hyper real if you will. Before we give ourselves the credit of knowing that our impacts are exaggerated, let us consider those of us who move on to work in think tanks or write law reviews who assess the threats of nuclear wars to the United States. In fact, this honor, think tank writer, is given out at the NDT every year. Perhaps a better question is, what is the value of our current impact debate? We don’t really help avoid nuclear wars or prevent violence by making every possible interaction into a discussion of the potential for either. If all of these scenarios result in gruesome ending for life on Earth, then the issues become very muddled. The result may be a sort of nihilism which in its conclusion is more Darwinian than Nietzsche. If we decide there is a impact hyperbole problem, what then is the alternative? Of course, the literature is our guide to a sensible form of impact debate, but we wouldn’t be in this predicament without literature. No debater asserts these impacts; they read cards. Cards = Truth Currency. A solution is a better internal link debate. How do the scenarios unfold? To examine the internals means examining all the many different ways the world would intervene in order to prevent the terminal impact from occurring. Debate judges can only work with what debaters give them, but we too must be willing to tell a team their impacts are overblown when this argument is part of the debate. Giving a debate ballot to the team who finds a 1% risk of extinction is a silly judging paradigm at best. At worst, it reflects a lack of critical thinking on the part of a debate critic. I am most definitely not saying critics should intervene and make impact arguments that are not in the debate, but giving more weight to impact defense is an important start to reign in our impact hyperbole.

### Benetar

#### Death is good under hedonistic util

Benatar ’97 (Benatar, David (Professor of Philosophy at the University of Cape Town, Cape Town, South Africa). “Why It is Better Never to Come Into Existence.” American Philosophical Quarterly, Volume 34, Number 3, July 1997)

There is a common assumption in the literature about future possible people that, all things being equal, one does no wrong by bringing into existence people whose lives will be good on balance. This assumption rests on another, namely that being brought into existence (with decent life prospects) is a benefit (even though not being born is not a harm). All this is assumed without argument. I wish to argue that the underlying assumption is erroneous. Being brought into existence is not a benefit but always a harm. Many people will find this deeply unsettling claim to be counter-intuitive and will wish to dismiss it. For this reason, I propose not only to defend the claim, but also to suggest why people might be resistant to it. As a matter of empirical fact, bad things happen to all of us. No life is without hardship. It is easy to think of the millions who live a life of poverty or of those who live much of their lives with some disability. Some of us are lucky enough to be spared these fates, but most of us who do nonetheless suffer ill-health at some stage during our lives. Often the suffering is excruciating, even if it is only in our final days. Some are condemned by nature to years of frailty. We all face death. We infrequently contemplate the harms that await any new-born child: pain, disappointment, anxiety, grief and death. For any given child we cannot predict what form these harms will take or how severe they will be, but we can be sure that at least some of them will occur. (Only the prematurely deceased are spared some but not the last.) None of this befalls the nonexistent. Only existers suffer harm. Of course I have not told the whole story. Not only bad things but also good things happen only to those who exist. Pleasures, joys, and satisfaction can be had only by existers. Thus, the cheerful will say, we must weigh up the pleasures of life against the evils. As long as the [pleasures] former outweigh the [pain] latter, the life is worth living. Coming into being with such a life is, on this view, a benefit. However, this conclusion does not follow. This is because there is a crucial difference between harms and benefits which makes the advantages of existence over non-existence hollow but the disadvantages real. Consider pains and pleasures as exemplars of harms and benefits. It is uncontroversial to say that: 1) the presence of pain is bad and that 2) the presence of pleasure is good. However, such a symmetrical evaluation does not apply to the absence of pain and pleasure, for: 3) the absence of pain is good, even if that good is not enjoyed by anyone, whereas 4) the absence of pleasure is not bad unless there is somebody for whom this absence is a deprivation. My view about the asymmetry between 3) and 4) is widely shared. A number of reasons can be advanced to support this. First, this view is the best [explains] explanation for the commonly held view that while there is a duty to avoid bringing suffering people into existence, there is no duty to bring happy people into being. In other words, the reason why we think that there is a duty not to bring suffering people into existence is that [because] the presence of this suffering would be bad (for the sufferers) and the absence of the suffering is good (even though there is nobody to enjoy the absence of suffering). In contrast to this, we think that there is no duty to bring happy people into existence because, while their pleasure would be good, its absence [of pleasure] would not be bad (given that there would be nobody who would be deprived of it). It might be objected that there is an alternative explanation for the view about our procreational duties, one that does not appeal to my claim about the asymmetry between 3) and 4). It might be suggested that the reason why we have a duty to avoid bringing suffering people into being, but not a duty to bring happy people into existence, is that we have negative duties to avoid harm, but no corresponding positive duties to bring about happiness. Judgments about our procreational duties are thus like judgments about all other duties. Now for those who deny that we have any positive duties, this would indeed be an alternative explanation to the one I have provided. However, even of those who do think that we have positive duties only a few also think that amongst these is a duty to bring happy people into existence. For this reason, my explanation is preferable to the alternative. A second support for my claim about the asymmetry between 3) and 4) is that, whereas it seems strange to give as a reason for having a child that the child one has will thereby be benefited, sometimes we do avoid bringing a child into existence because of the potential child's interests. If having children were done for the purpose of thereby benefiting those children, then there would be greater moral reason for at least many people to have more children. In contrast to this, our concern for the welfare of potential children who would suffer is taken to be a sound basis for deciding not to have the child. If absent pleasures were bad irrespective of whether they were bad for anybody, then having children for their own sakes would not seem odd. And if it were not the case that absent pains are good even where they are not good for anybody, then we could not say that it would be good to avoid bringing suffering children into existence. Finally, support for my claim can be drawn from a related asymmetry, this time in our retrospective judgments. Bringing people into existence as well as failing to bring people into existence can be regretted. However, only bringing people into existence can be regretted for the sake of the person whose existence was contingent on our decision. One might grieve about not having had children, but not because the children which one could have had have been deprived of existence. Remorse about not having children [that] is remorse for ourselves, sorrow about having missed child-bearing and child-rearing experiences. However, we do regret having brought into existence a child with an unhappy life, and we regret it for the child's sake, even if also for our own sakes. The reason why we do not lament our failure to bring somebody into existence is because absent pleasures are not bad. […] We can ascertain the relative advantages and disadvantages of existence and non existence in another way, still in my original matrix, but by comparing (2) with (3) and (4) with (1). There are benefits both to existing and non-existing. It is good that existers enjoy their pleasures. It is also good that pains are avoided through non existence. However, that is only part of the picture. Because there is nothing bad about never coming into [non-]existence, but there is something bad about coming into existence, all things considered non-existence is preferable.

## AT: Politics

### TL

#### 1] Not intrinsic—a logical policymaker could do both

#### 2] No link uniqueness—Obama’s XO triggers the link

#### 3] Reject politics DAs—they make us focus on politicking instead of making good policies—sustains the squo because we’re afraid of backlash—that’s a voter because policymaking is central to education

#### 4] Fiat solves the link—we evaluate whether the USFG should do the plan, not vote on it

#### 5] No link—Obama is confident and says tides are turning

Boyer 11/17 (Dave, “Obama says gun control to be top issue of final year,” <http://www.washingtontimes.com/news/2015/nov/17/obama-says-gun-control-be-top-issue-final-year/>) OS

The interview was conducted in the White House, apparently sometime in October. Mr. Obama said in his seventh year in office, he feels “looser” and more confident. “There’s no doubt that the longer I’m in this job, the more confident I am about the decisions I’m making and more knowledgeable about the responses I can expect,” he said. “And as a consequence, you end up being looser. There’s not much I have not seen at this point, and I know what to expect, and I can anticipate more than I did before.”

#### 6] Expanded gun control is massively popular and bipartisan—even if people don’t like bans, they still prefer it to the squo

**[Don’t read if they read universal background checks]**

Pew Research 8/13 (“Continued Bipartisan Support for Expanded Background Checks on Gun Sales,” 2015, <http://www.people-press.org/2015/08/13/continued-bipartisan-support-for-expanded-background-checks-on-gun-sales/>) OS

Two years after the failure of Senate legislation to expand background checks on gun purchases, the public continues to overwhelmingly support making private gun sales and sales at gun shows subject to background checks. Currently, 85% of Americans – including large majorities of Democrats (88%) and Republicans (79%) – favor expanded background checks, little changed from May 2013 (81%).Partisan Views of Gun Proposals The latest Pew Research Center poll of 2,002 adults, conducted July 14-20, finds that opinions about other gun policy proposals also are largely unchanged from two years ago, shortly after the December 2012 school shootings in Newtown, Conn. Nearly eight-in-ten (79%) favor laws to prevent people with mental illness from purchasing guns, 70% back the creation of a federal database to track all gun sales, while a smaller majority (57%) supports a ban on assault-style weapons. Almost identical shares of Republicans (81%) and Democrats (79%) support laws to prevent the mentally ill from buying guns. But other proposals are more divisive: 85% of Democrats favor creation of a database for the federal government to track gun sales, compared with 55% of Republicans. And while 70% of Democrats back an assault-weapons ban, only about half of Republicans (48%) favor this proposal.

### --- Winners Win

#### PC is a myth—winners win

Singer 9 (Jonathan, Editor – MyDD and JD – University of California, Berkeley, “By Expending Capital, Obama Grows His Capital”, MyDD, 3-3, <http://www.mydd.com/story/2009/3/3/191825/0428>)

Peter Hart gets at a key point. Some believe that political capital is finite, that it can be used up. To an extent that's true. But it's important to note, too, that political capital can be regenerated -- and, specifically, that when a President expends a great deal of capital on a measure that was difficult to enact and then succeeds, he can build up more capital. Indeed, that appears to be what is happening with Barack Obama, who went to the mat to pass the stimulus package out of the gate, got it passed despite near-unanimous opposition of the Republicans on Capitol Hill, and is being rewarded by the American public as a result. Take a look at the numbers. President Obama now has a 68 percent favorable rating in the NBC-WSJ poll, his highest ever showing in the survey. Nearly half of those surveyed (47 percent) view him very positively. Obama's Democratic Party earns a respectable 49 percent favorable rating. The Republican Party, however, is in the toilet, with its worst ever showing in the history of the NBC-WSJ poll, 26 percent favorable. On the question of blame for the partisanship in Washington, 56 percent place the onus on the Bush administration and another 41 percent place it on Congressional Republicans. Yet just 24 percent blame Congressional Democrats, and a mere 11 percent blame the Obama administration. So at this point, with President Obama seemingly benefiting from his ambitious actions and the Republicans sinking further and further as a result of their knee-jerked opposition to that agenda, there appears to be no reason not to push forward on anything from universal healthcare to energy reform to ending the war in Iraq.

#### Capital barely affects the DA – 8% swing

Beckman and Kumar 11 (Matthew, associate professor of political science UC Irvine, and Vimal – economic professor at the Indian Institute of Tech, Opportunism in Polarization, Presidential Studies Quarterly, September, 41.3)

The final important piece in our theoretical model—presidents' political capital— also finds support in these analyses, though the results here are less reliable. Presidents operating under the specter of strong economy and high approval ratings get an important, albeit moderate, increase in their chances for prevailing on "key" Senate roll-call votes (b = .10, se = .06, p < .10). Figure 4 displays the substantive implications of these results in the context of polarization, showing that going from the lower third of political capital to the upper third increases presidents' chances for success by 8 percentage points (in a setting like 2008). Thus, political capital's impact does provide an important boost to presidents' success on Capitol Hill, but it is certainly not potent enough to overcome basic congressional realities. Political capital is just strong enough to put a presidential thumb on the congressional scales, which often will not matter, but can in close cases.

#### All their “plan controversial” links feed our turn. Controversial wins swings Dems

Sargent, 8/23/10 (Greg, :Why is the left so disappointed in Obama?”, The Washington Post, p. http://voices.washingtonpost.com/plum-line/2010/08/politico\_channels\_professional.html)

The fetishizing of bipartisanship, and the hope that a few Republicans could be induced to back his agenda, is also what led Obama to avoid taking a strong, bottom-line stand on core principles, such as the public option. White House advisers also seemed reluctant for Obama to stake real political capital on provisions that were likely to fail, which also contributed to his mixed messages on core liberal priorities. To be clear, I tend to think this critique is overstated: Obama has passed the most ambitious domestic agenda since FDR, and there are some grounds for believing that the White House got as much as it possibly could have. But my bet is that if the White House hadn't fetishized bipartisanship early on; if Obama had drawn a sharper contrast with the GOP from the outset; and if he had taken a stronger stand on behalf of core priorities even if they were destined for failure, his lefty critics would be more willing to give him the benefit of the doubt.

#### Wins spill over

Marshall and Prins ‘11, September 2011 (Bryan – associate professor of political science at Miami University of Ohio, and Brandon – professor of political science at the University of Tennessee, Power or Posturing? Policy availability and congressional influence on U.S. presidential decision to use force, Presidential Studies Quarterly, p. ProQuest)

Presidents rely heavily on Congress in converting their political capital into real policy success. Policy success not only shapes the reelection prospects of presidents, but it also builds the president's reputation for political effectiveness and fuels the prospect for subsequent gains in political capital (Light 1982). Moreover, the president's legislative success in foreign policy is correlated with success on the domestic front. On this point, some have largely disavowed the two-presidencies distinction while others have even argued that foreign policy has become a mere extension of domestic policy (Fleisher et al. 2000; Oldfield and Wildavsky 1989) Presidents implicitly understand that there exists a linkage between their actions in one policy area and their ability to affect another. The use of force is no exception; in promoting and protecting U.S. interests abroad, presidential decisions are made with an eye toward managing political capital at home (Fordham 2002).

### Generic Non-UQ

#### Nothing passes until after the election.

Ota 4/6. (Amanda Ota is a political correspondent for WHAM News in Rochester, New York. Congress usually comes up lame in 'lame duck' POTUS years. April 7, 2016. <http://13wham.com/features/community-connection/congress-usually-comes-up-lame-in-lame-duck-potus-years>. MMG)

WASHINGTON (SINCLAIR BROADCAST GROUP) — The White House is currently in the midst of a number of political battles with Congress, as the Obama administration struggles to get the legislative body to take action during the election season. Congressional reluctance to take action has been common so far this year, with lawmakers refusing to make moves in the shadow of the election. Government Track, a website that keeps track of the actions of Congress,tallies up the number of laws enacted, resolutions passed and votes held since the 93rd Congress of 1973 and 1974. Based on their count, the least a Congress voted on legislation historically was 390 times, which occurred during the 112th Congress. Since then, the two following Congresses to serve under President Obama's tenure have managed to narrowly escaped similarly dismal vote records. "Our calculation finds that the 113th just barely avoided the dubious title of "least productive Congress in modern history," The Pew Research Center's Drew Desilver wrote back in 2014. "In all, the expiring Congress enacted 296 laws, 13 more than the 2011-12 Congress." So far, the current Congress has not shown a lot of promise, having thus far only voted on 4 percent of legislation before them. As David Mayhew, political scientist and Sterling Professor in the Political Science Department at Yale University described it, it is still too early to rate the ongoing session. "I don't see anything to chalk up yet," Mayhew said describing calendar year 2016 as "stuttering." "But it's early," he cautioned adding that the "best bet may be a fix of the Puerto Rico fiscal crisis." "They seem to be blocking on a criminal sentencing reform. The Pacific trade deal is low in the water." Saying how he was unable to tell, Mayhew explained that "in recent election years, a fair amount of enacting has happened during a November-December [lameduck] session after the election. " Analyzing legislation that had been passed during the lame duck session of the 113th Congress, DeSilver wrote that "we classified 71 of the 111 laws passed during the lame duck session as substantive, or 64% the lowest such percentage among the past eight Congresses." The fact that Congress isn't making any game-changing legislative moves is unsurprising, according to experts. Speaking with Sinclair earlier in the election, Georgetown's Dr. Joshua Huder, Senior Fellow at Georgetown University's Government Affairs Institute, explained this Congress was bound to be unproductive. "If you started off really well you'd still have a really bad year, this is doomed to be a low turnout, low productivity congress," Huder said Huder said to expect much more political messaging than actual legislation. For example he described the 112th and 113th congress as, "obsmially [un]productive" and "terrible." "There will be votes, not legislation," Dr. Matthew Lebo, and Associate Professor of Political Science at Stony Brook University, told Sinclair back in January.

### --- AT: TPP UQ

#### TPP won’t happen til after the election and then won’t get signed since Trump and Clinton are against it, so are Reid, McConnell, Pelosi, and Ryan

Francis 4-28

DAVID FRANCIS, FP correspondent, Former Defense Chiefs Call for Asian Trade Deal Obama Isn’t Likely to Get, APRIL 28, 2016 - 1:30 PM <http://foreignpolicy.com/2016/04/28/former-defense-chiefs-call-for-asian-trade-deal-obama-isnt-likely-to-get/>

Eight former Defense Department secretaries want Congress to take up the Trans-Pacific Partnership, a massive trade deal with 12 Pacific Rim nations covering 40 percent of global GDP. It’s not likely to happen any time soon. Former U.S. Defense Secretaries Harold Brown (1977-1981), Frank C. Carlucci (1987-1989), William J. Perry (1994-1997), William S. Cohen (1997-2001), Donald H. Rumsfeld (1975-1977, 2001-2006), Robert M. Gates (2006-2011), Leon E. Panetta (2011-2013), and Charles T. Hagel (2013-2015) all signed a letter released Thursday, to House and Senate leadership, calling on them to “support the TPP and to help the United States maintain its leadership in the 21st Century.” They said bailing on the deal, negotiated in secret for years but made public in 2015, would allow China to write trade rules throughout the region. Beijing isn’t a signatory to the tentative agreement. Dated Wednesday, the letter was sent to House Speaker Paul Ryan and Democratic Leader Nancy Pelosi, and Senate Majority Leader Mitch McConnell and Democratic Leader Harry Reid. Already, President Barack Obama has demanded the lawmakers to take up the TPP, which would be a cornerstone of his president’s economic legacy — if it is approved. In an interview with the New York Times published Thursday, Obama said the TPP is needed to help the United States shape “the rules in ways that allow for higher labor standards overseas, or try to export our environmental standards overseas, so that we have more of a level playing field.” **The problem**, for both the president and the past Pentagon chiefs, **is that** the trade plan doesn’t have enough support to pass either the House or the Senate**, and congressional leaders aren’t pushing to get it.** Here’s what each lawmaker addressed has said about TPP. **Ryan**, in February: “I’m the **speaker of the House [said]**. I’m not the dictator of the House. I’m not the micromanager of the House, and **I don’t see where these votes are right now**, and I’m just being honest with people about that, and I don’t know if and when that’s going to change.” **Pelosi [said]**, in June 2015, as she fought — and failed — to deny Obama fast-track authority to help him speed the trade deal through Congress: “**We have** an opportunity **to slow down**. Whatever the deal is with other countries, we want a better deal for America’s workers.” **McConnell [said]**, who once supported the TPP, said in February he now has “some problems” with it and said **the deal should not be considered until after the** presidential **election**. He also has expressed reservations about tobacco restrictions the TPP contains; tobacco is a lucrative crop in his home state of Kentucky. **Reid [said]**, in January: “Everyone knows how I feel about this…The White House knows. **Everyone would be well-advised to not push this right now**.” Both Obama and former DOD chiefs want this deal to get done. But it’s increasingly likely that if TPP becomes law, that will happen after the president leaves the Oval Office. And even then, **its chances aren’t great: Both** Republican presidential front-runner Donald **Trump and** presumptive Democratic nominee Hillary **Clinton have come out against TPP**.

#### **Farm lobby hates TPP**

MWI 4-27

“Farm, ranch groups ask Congress to reject Trans-Pacific Partnership” Staff Reports Apr 27, 2016, Mineral Wells Index http://www.mineralwellsindex.com/news/farm-ranch-groups-ask-congress-to-reject-trans-pacific-partnership/article\_5a399246-0c90-11e6-9920-d7b94d3dd6e6.html

**One hundred sixty-one food, farm, faith and rural organizations, including nine from Texas, have sent a letter to Capitol Hill urging lawmakers to reject The Trans-Pacific Partnership trade pact**.

#### Farm lobby strong

Lowe 14

Peggy Lowe, Harvest Public Media, “Lobbyists of all kinds flock to Farm Bill” http://investigatemidwest.org/2014/07/14/lobbyists-of-all-kinds-flock-to-farm-bill/

**Farm Bill lobbying is a reflection of big business**. **The U.S. Chamber of Commerce**, one of the largest overall spenders on Capitol Hill, **spent $146**. 5 **million** during that two-year period and regularly lobbied **on behalf of the Farm Bill**. **Energy companies Exxon and DuPont** also **spent** in the tens of **millions [on]** and promoted **ethanol and biofuels**. The **American Bankers** Association, one of the groups that will benefit most from the bill thanks to ashift away from the safety-net policy of direct subsidiesto crop insurance, reported **spend**ing **$14 million on lobbying**, including advocacy **for crop insurance and** other **rural lending** plans.

#### PC fails in the context of TPP – Obama’s strategy repels both sides

Ikenson 12/11 (Dan, trade expert @ Forbes, “Miscalculation And Mrs. Clinton: Why The Trans-Pacific Partnership May Be Trans-Presidential, Too,” <http://www.forbes.com/sites/danikenson/2015/12/11/miscalculation-and-mrs-clinton-why-the-trans-pacific-partnership-may-be-trans-presidential-too/>)

It is apparent that the president underestimated what it would take to win support for trade liberalization. The inadequacy of his outreach efforts was reflected in the paucity of Democratic support for trade promotion authority last June, when only 28 House Democrats voted to grant TPA to the president. That outcome convinced the president to defy recent history and avoid the path of least resistance, which was to focus on securing more easily attainable Republican votes, in favor of winning more support from fellow Democrats for eventual TPP ratification. / That was a gamble that President Obama probably had to take. It is one thing for a Republican president to work exclusively with a Republican majority in Congress over the objections of Democrats–which is how the Bush administration succeeded in securing ratification of the numerous trade agreements it concluded–but quite another for a Democratic president to shun his party and reject its orthodoxy, wrong-headed as it may be. / So far, the president’s efforts to woo Democrats have backfired. His aversion to making a comprehensive moral and economic argument for TPP, focusing instead on the deal’s “progressive” features–enforceable labor and environmental provisions, anti-tobacco provisions, limitations on intellectual property protection for pharmaceutical products– has attracted fewer Democrats than it has repelled Republicans. That formula begs for failure, or at least deferral, of TPP ratification.

#### Aff outweighs on time frame – no impact TPP until after 2016 election or later

Sjostrom 15 (Lucas. Assistant Editor, dairy herd management. “TPP signed, but don’t expect results soon.” <http://www.dairyherd.com/news/tpp-signed-don%E2%80%99t-expect-results-soon> Accessed: 11/1/15 RJS)

**Trade negotiators from 12 countries signed a Trans-Pacific Partnership (TPP) trade agreement on Oct. 5, but it will be some time before you see any changes in trade actions**.**First, all 12 nations must ratify the agreement. In the United States, Congress may not even take up the bill until late 2016,** according to Western United Dairyman lobbyist Charlie Garrison in a member newsletter. **That will be in the midst of 2016 Presidential campaigning, or after the election**. **If all 12 nations do ratify the pact, it will take decades to fully enact many provisions in the agreement**. U.S. is in the middle Andrew NovakovicThe U.S. was basically as protectionist in the 1970s as Canada and Japan are today, said Andrew Novakovic, Cornell University dairy economist. But now we are more than halfway towards becoming as pro-trade liberal as New Zealand and Australia. The turning point was the Uruguay Round agreement that gave us the World Trade Organization and was concluded in 1986. When we negotiated the NAFTA agreement, we quickly agreed with Canada to keep dairy as strictly national industries. When we negotiated the TPP, we approached it with the attitude we had more to gain as a dairy exporter (to Canada and elsewhere) than we had to fear as a dairy importer (from New Zealand). It appears the middle-ground approach will continue with TPP. Jim Mulhern, National Milk Producers Federation (NMPF) president and CEO, said U.S. dairy interests sought a balanced agreement. “We did not want an imbalanced agreement, where we see more access to our market than we were able to gain in access for U.S. dairy products into other countries,” Mulhern said. “It does look like there is some semblance of balance based on what we know. But the devil is in the details and we need to see what those numbers look like.” Those numbers are not big round percentages, Mulhern explained, but the balance of tariff line-items representing many products. “Different products have different impacts on milk prices,” he said. “We were looking for access into Canada, Japan and other countries in fluid milk, various cheese products, butter, yogurt, whey and other dairy products. On imports, our main focus was protecting the market in fat-based products – cheese and butter – which have the biggest impact on farm milk prices.”Among the unknowns are when changes take effect, and the growth in market access. **“This is an agreement that will be phased in, in some cases, over 10, 20, 25 or even 30 years**,” Mulhern said.

### --- AT: TPP Trade/Protectionism

#### Impact turn—bilateral trade prevents war but multilateral trade causes it – both theoretical and empirical evidence supports

Martin, Mayer, and Thoenig 05 **–** Philippe Martin, Thierry Mayer and Mathias Thoenig, September 2005. All at the Centre for Economic Policy Research, researcher at Ecole Nationale des Ponts et Chaussées, researcher at Université Paris I Panthéon-Sorbonne, and Centre for Economic Policy Researcher and Department of Political Economics at the University of Geneva. "Make Trade not War?" CEPR Discussion Paper No. 5218 Available at SSRN: http://ssrn.com/abstract=822824.

This paper analyzes theoretically and empirically the relationship between trade and war. We show that **the intuition that trade promotes peace is only partially true** even in a model where trade is beneficial to all, war reduces trade and leaders take into account the costs of war. **When war can occur because of** the presence of **asymmetric information, the** probability **of escalation is** indeed **lower for countries that trade** more **bilaterally** because of the opportunity cost associated with the loss of trade gains. **However, countries** **more open to global trade have a** higher probability of war **because multilateral trade openness** decreases bilateral dependence **to any given country**. Using a theoretically-based econometric model, **we test our predictions on a large dataset of** military **conflicts** in the period 1948-2001. **We find** strong evidence **for the contrasting effects of bilateral and multilateral trade**. Our empirical results also confirm our theoretical prediction that multilateral trade openness increases more the probability of war between proximate countries. This may explain why military conflicts have become more localized and less global over time. 1 Introduction “The natural effect of trade is to bring about peace. Two nations which trade together, render themselves reciprocally dependent; for if one has an interest in buying, the other has an interest in selling; and all unions are based upon mutual needs.” Montesquieu, De l’esprit des Lois, 1758. Does globalization pacify international relations? The “liberal” view in political science argues that increasing trade flows, and the spread of free markets and democracy should limit the incentive to use military force in interstate relations. This vision, which can partly be traced back to Kant’s Essay on Perpetual Peace (1795), has been very influential: the main objective of the European trade integration process was to prevent the killing and destruction of the two World Wars from ever happening again1. Figure 1 suggests 2 however that on the 1870-2001 period, the correlation between trade openness and military conflicts is not a clear cut one. **The first era of globalization**, at the end of the 19th century, **was a period of rising trade openness and** multiple military conflicts**, culminating with World War I**. Then, **the interwar period was characterized by a simultaneous collapse of world trade and conflicts**. **After World War II, world trade increased rapidly**, while the number of conflicts decreased (**although the risk of a global conflict was obviously high). There is no clear evidence that the 1990s, during which trade flows increased dramatically, was a period of lower** prevalence of **military conflicts**, even taking into account the increase in the number of sovereign states. The objective of this paper is to shed light on the following question: **if trade promotes peace as illustrated by the European example, why is it that globalization**, interpreted as trade liberalization at the global level, **has not lived up to its promise of decreasing** the prevalence of violent interstate **conflicts?** We offer a theoretical and empirical answer to this question. On the theoretical side, we build a framework where escalation to military conflicts may occur because of the failure of negotiations in a bargaining game. The structure of this game is fairly general: (i) war is Pareto dominated by peace; (ii) countries have private information on what happens in case of war; (iii) we impose no institutional constraint so that countries can choose any type of negotiation protocol. We then embed this game in a standard new trade theory model with trade costs. We show that **a pair of countries with more bilateral trade has a** lower probability **of bilateral war. However, multilateral trade openness has the opposite effect**: **any pair of** **countries more open with the rest of the world** **decreases its degree of bilateral dependence and this results in a** higher probability **of bilateral war**. A theoretical prediction of our model is that globalization of trade flows changes the nature of conflicts. It decreases the probability of global conflicts (maybe the most costly in terms of human welfare) but increases the probability of local conflicts. The reason is that globalization decreases the bilateral dependence for all country pairs and acts as an insurance against the opportunity cost of a local conflict. This fits well with a stylized fact on the changing nature of military conflicts after WWII. Figure 2 depicts the average distance between countries in military conflicts. It strongly suggests that these have become more localized over time as the average distance between two countries in military conflict has been halved during the period. This changing nature of war was first discussed by historians (Keegan 1984, Bond 1986, Van Creveld 1991). Also, Levy et al. (2001) illustrate how the second half-century of the XXth century marked a significant shift in warfare from the major powers to minor powers, from Europe to other regions, and from inter-state warfare to intra-state wars. We test the theoretical predictions that **bilateral and multilateral trade have opposite effects on the probability of military conflicts on the 1950-2000 period using a data set from the Correlates Of War** (COW) project, that makes available a very precise description of interstate armed conflicts. The mechanism at work in our theoretical model rests on the hypothesis that the absence of peace disrupts trade and therefore puts trade gains at risk. We first test this hypothesis. Using a gravity-type model of trade, we find that bilateral trade costs indeed increase significantly with a bilateral conflict. However, multilateral trade costs do not increase significantly with conflict.

#### Protectionism is very low—liberalization doesn’t help interdependence

Krugman 3/26 (Paul, Nobel Prize Winner in Economics, "Trans-Pacific Partnership Trade Deal: Few Benefits, Many Questions", 2015, [truth-out.org/opinion/item/29887-trans-pacific-partnership-trade-deal-few-benefits-many-questions](http://truth-out.org/opinion/item/29887-trans-pacific-partnership-trade-deal-few-benefits-many-questions)) PO

So, about the deal. The first thing you need to know is that almost everyone exaggerates the importance of trade policy. In part, I believe, this reflects "globaloney": Talking about international trade sounds glamorous and forward-thinking, so everyone wants to make it the centerpiece of their remarks. Also, there's an odd dynamic involving the role of international trade in the history of economics. Comparative advantage was an early, classic example of how economic reasoning can lead to results that are correct but not obvious; naturally, economists have always wanted this intellectual victory to be important in the real world, too. This has led to a peculiar dynamic: Comparative advantage says, "yay free trade!," but also suggests that once trade is already fairly open, the gains from opening it further are small. But because economists want to keep shouting, "yay free trade!," they look for reasons that those gains might be larger, even though the stories they end up telling are inconsistent with the competitive model that was the basis for their free trade advocacy in the first place. One particular misuse of the yay-free-trade sentiment is the persistent effort to make protectionism a cause of economic slumps, and trade liberalization a route to recovery. How many times have you seen the Kindleberger "spiderweb" chart showing declining world trade in the early years of the Great Depression, which is then invoked as showing the evils of protectionism (see Slide 2 of my talk)?In fact, it shows no such thing. The fact is that today trade is fairly free, and estimates of the costs of protectionism from standard models suggest that these costs are quite small. Trade restrictions just aren't a major drag on the world economy these days, so the gains from liberalization must be slight.

#### No impact – there’s no risk of protectionism

Ahearn ’09 (Raymond, CRS Specialist in International Trade and Finance, “The Global Economic Downturn and Protectionism,” Policy Archive, 23 March 2009, http://www.policyarchive.org/handle/10207/bitstreams/19395.pdf) PO

There are a number of reasons why the threat of a return to protectionist, beggar-thy-neighbor policies could be vastly overstated. Unlike the 1930s, today’s global economy has several strong firewalls to prevent governments from raising trade barriers that result in a cycle of retaliation and counter-retaliation. These firewalls include more institutionalized obstacles to protectionism built into the WTO system, more policy instruments to address the economic slowdown, and a more interdependent and open world economy than existed in the 1930s. In addition, some in today’s media may tend to overstate the threat of protectionism by not always distinguishing between protectionist actions and protectionist pressures and/or by equating legitimate forms of protection with protectionism. The fact that there is ample room for increases in trade measures and barriers that are consistent with the rules and obligations of the WTO often may go unappreciated in some press coverage. These trade measures and barriers include increases in applied tariffs to bound rates, and imposition of countervailing and antidumping duties, so-called ‘defensive’ trade measures.4 Protection for limited periods of time and under prescribed conditions is built into the rules of the WTO as a political safety valve and as a recognition of the human and social costs that are associated with the often wrenching adjustments that accompany increased trade competition. Firewalls Against Protectionism WTO rules today serve to keep a lid on trade barriers of its 153 members through an elaborate set of mutual obligations and dispute settlement procedures. Unlike the 1930s when countries could impose higher trade barriers unilaterally without violating any international agreements or anticipating a foreign reaction, under today’s rules members can take their disputes to the WTO for settlement rather than engaging in reciprocal retaliatory actions. The fact that countries violating WTO obligations can face WTO-sanctioned retaliation helps constrain outbreaks of unilateral actions that could be mutually harmful.5 Pressures for protection are also dampened by a world economy that is much more interdependent and integrated than in the 1930s.6 Leading producers have become so international in their production operations and supply chains that they have developed a vested interest in resisting protectionism.7 Many industries that have faced import competition in the past – such as televisions and semiconductors—have found that international diversification or joint ventures with foreign partners are a more profitable way of coping with global competition than blocking goods at the border. In addition, many domestic industries have less incentive to ask for import restrictions because foreign rivals now produce in the domestic market, eliminating the benefits of trade barriers for domestic firms.8 Unlike the early 1930s, when governments took little responsibility for propping up financial institutions and were unable to pursue expansionary monetary policies due to fixed exchange rates under the gold standard, policymakers around the world today are adopting expansionary fiscal and monetary policies. These expansionary policies, in turn, have the capability of dampening protectionist pressures and demands that stem from job losses and related economic hardship with lower interest rates and increased expenditures on unemployment benefits and health care benefits.9 A related consideration is that today’s world economy is much more open than the world economy of the 1930s. Average tariffs on world trade have come down from the 50% range in the 1930s, to the 25% range in the 1980s, and to less than 10% today.10 Under these circumstances, it would require tremendous increases in protection to get the world back to anywhere near the conditions of the 1930s, although a major increase in tariffs (e.g. a doubling) would be disruptive even if it left tariffs well below the 1930s levels. Scorecard of Protective Measures To Date Empirical support exists for the view that existing legal, economic, and political firewalls are restraining today’s protectionist pressures. Most importantly, Pascal Lamy, the WTO’s Director General, reported in January 2009 that most WTO members have successfully kept domestic protectionist pressures under control “with only limited evidence of increases in trade restricting or trade distorting measures” taken during the last six months of 2008. This assessment was based on the first report of the WTO secretariat on the trade effects of the global economic crisis. The report found only “limited evidence” of an increase in tariffs, non-tariff barriers or trade-remedy actions by member countries, but noted that the most significant actions taken in response to the global crisis have involved “financial support of one kind or another to banks and other financial institutions and to certain industries, notably the automobile industry.”11 The WTO report notes tariff increases on selected products being implemented by India, Russia, Ecuador, and Ukraine. Countries adopting non-tariff measures include Indonesia (port of entry barriers) and Argentina (import licensing requirements). Argentina was cited for measures that attempt to boost exports of selected products. But the report indicates that there has been “no dramatic increase” in antidumping investigations in the second half of 2008 compared to first half of 2008, but raised the possibility of increased trade remedy actions in 2009.12 The World Bank, which has also been monitoring trade restrictions proposed and adopted since the beginning of the financial crisis, reached a conclusion similar to that of the WTO. Its initial report determined that there have been 47 trade restrictive measures imposed since the financial crisis began last summer, including 17 from G-20 countries, but that “these measures have probably had only marginal effects on trade flows to date.” In addition to the measures cited by the WTO, the World Bank report cited China’s import ban on various food products from the EU, and export subsidies provided by the EU, China, and India. Contrary to the WTO report, the World Bank report determined that “the number of antidumping cases (both investigations initiated and imposition of duties) surged in 2008.”13

#### No solvency – trade doesn’t solve war – historically proven

Martin et al. 7[Phillipe, University of Paris 1 Pantheon-Sorbonne, Paris School of Economics and CEPR, “Make Trade Not War?”, The Review of Economic Studies, April 23, 2007, pg. 75] PO

Does globalization pacify international relations? The “liberal” view in political science argues that increasing trade flows and the spread of free markets and democracy should limit the incentive to use military force in interstate relations. This vision, which can partly be traced back to Kant’s Essay on Perpetual Peace (1795), has been very influential: The main objective of the European trade integration process was to prevent the killing and destruction of the two World Wars from ever happening again.1 Figure 1 suggests2 however, that during the 1870–2001 period, the correlation between trade openness and military conflicts is not a clear cut one. The first era of globalization, at the end of the 19th century, was a period of rising trade openness and multiple military conflicts, culminating with World War I. Then, the interwar period was characterized by a simultaneous collapse of world trade and conflicts. After World War II, world trade increased rapidly, while the number of conflicts decreased (although the risk of a global conflict was obviously high). There is no clear evidence that the 1990s, during which trade flows increased dramatically, was a period of lower prevalence of military conflicts, even taking into account the increase in the number of sovereign states.

#### Trade disputes don’t escalate – solidified international norms

Ikenson 12 [March 5th, Daniel, [Daniel Ikenson](http://www.cato.org/people/daniel-ikenson) is director of the Herbert A. Stiefel Center for Trade Policy Studies at the Cato Institute, <http://www.cato.org/publications/free-trade-bulletin/trade-policy-priority-one-averting-uschina-trade-war>]

An emerging narrative in 2012 is that a proliferation of protectionist, treaty-violating, or otherwise illiberal Chinese policies is to blame for worsening U.S.-China relations. China trade experts from across the ideological and political spectra have lent credibility to that story. Business groups that once counseled against U.S. government actions that might be perceived by the Chinese as provocative have changed their tunes. The term "trade war" is no longer taboo. The media have portrayed the United States as a victim of underhanded Chinese practices, including currency manipulation, dumping, subsidization, intellectual property theft, forced technology transfer, discriminatory "indigenous innovation" policies, export restrictions, industrial espionage, and other ad hoc impediments to U.S. investment and exports. Indeed, it is beyond doubt that certain Chinese policies have been provocative, discriminatory, protectionist, and, in some cases, violative of the agreed rules of international trade. But there is more to the story than that. U.S. policies, politics, and attitudes have contributed to rising tensions, as have rabble-rousing politicians and a confrontation-thirsty media. If the public's passions are going to be inflamed with talk of a trade war, prudence demands that the war's nature be properly characterized and its causes identified and accurately depicted. Those agitating for tough policy actions should put down their battle bugles and consider that trade wars are never won. Instead, such wars claim victims indiscriminately and leave significant damage in their wake. Even if one concludes that China's list of offenses is collectively more egregious than that of the United States, the most sensible course of action — for the American public (if not campaigning politicians) — is one that avoids mutually destructive actions and finds measures to reduce frictions with China. Nature of the U.S.-China Trade War It should not be surprising that the increasing number of commercial exchanges between entities in the world's largest and second largest economies produce frictions on occasion. But the U.S.-China economic relationship has not descended into an existential call to arms**.** Rather, both governments have taken protectionist actions that are legally defensible or plausibly justifiable within the rules of global trade. That is not to say that those measures have been advisable or that they would withstand closer legal scrutiny, but to make the distinction that, unlike the free-for-all that erupted in the 1930s, these trade "skirmishes" have been prosecuted in a manner that speaks to a mutual recognition of the primacy of — if not respect for — the rules-based system of trade. And that suggests that the kerfuffle is containable and the recent trend reversible.1

#### Trade leadership is resilient and there’s no impact

Lamy 11(Pascal Lamy is the Director-General of the World Trade Organization. Lamy is Honorary President of Paris-based think tank Notre Europe. Lamy graduated from the prestigious Sciences Po Paris, from HEC and ÉNA, graduating second in his year of those specializing in economics. “System Upgrade” BY PASCAL LAMY | APRIL 18, 2011)

**Any doubts about the stability** and importance **of the global trade architecture should have been dispelled by the remarkable manner in which the system has endured the devastating economic crisis that shook the world from 2008 to 2009**. **That durability stands in stark contrast with many other elements in the international architecture**, **which proved too brittle to withstand this shock. For example, governments have yet to devise an international system for managing climate change or currency volatility. Other issues heavily tinged by domestic politics, such as migration, are not even on the international agenda** **and face fire even at the regional level, as we have seen with the influx of immigrants to Europe following recent events in North Africa**. By now, it should be clear that the failure to establish a system of global governance in the area of international finance unquestionably blunted governments' ability to respond effectively to the crisis. Yet even while a great many things went wrong in the crisis, **the trading system responded precisely as it was intended to.** **Compare that with the 1930s, when the last great global economic calamity unfolded.** **No such system was in place**, **and the global economy paid a heavy price.** **The United States passed the Smoot-Hawley Tariff Act** in 1930, quadrupling tariffs and raising duties to at least 60 percent on more than 3,000 types of imported products. Faced with this provocation, America's trading partners did not sit idly by; tit-for-tat retaliation rapidly ensued, closing markets and throttling trade. Between 1929 and 1934, world trade contracted 66 percent. The bulk of this collapse was due to disintegrating demand and the drying-up of credit. But the **imposition of prohibitive duties** not only pushed the economy further into depression -- it also **fostered a profound sense of ill will** between governments and contributed to the international tensions **that led to World War II. To prevent this from happening again, leaders** of great vision and wisdom **agreed to create a rules-based, transparent, and nondiscriminatory trading system.** Men like James Meade and Cordell Hull succeeded in encouraging 23 countries to accept a compact known as the General Agreement on Tariffs and Trade (GATT). **Since the GATT came into force in 1948 and since the World Trade Organization (WTO) opened its doors in 1995, the world has not seen protectionist outbreaks like those of the early 1930s. This is not to say that the trading system has not been tested. Protectionist pressures surged in 1971, for example, when the gold standard for currency conversion was abandoned, and during the 1997-1998 Asian economic crisis, when Pacific Rim countries saw their economies contract by double-digit margins. In each case, markets stayed open to the flow of goods and services from the affected countries, enabling them to trade their way back to stability and prosperity.**

### --- AT: Garland

#### Republicans will hold off on confirmation hearings until after the election, and even if hold it sooner, it won’t affect votes.

Mataconis 4/26. (Doug Mataconis is a lawyer and founder of the political website Outside the Beltway. Voters Don’t Seem To Care About The Political Fight Over Vacant Supreme Court Seat. April 26, 2016. <http://www.outsidethebeltway.com/voters-dont-seem-to-care-about-the-political-fight-over-vacant-supreme-court-seat/>. MMG)

It’s been more than two months since Justice Antonin Scalia died while on vacation in Texas, and a month since President Obama appointed Judge Merrick Garland as his choice to replace Scalia on the nation’s highest Court. In the time since his name was put up for nomination, Garland has met with many members of the Senate, including several Republican Senators who have vowed that there would be neither hearings nor a vote on a replacement to fill the vacancy left by Justice Scalia’s death. So far at least, there has been no action at all on Garland’s nomination and no indication there will be any any action before President Obama leaves office in nine months. Over this same period of time, there has been polling which indicates that most Americans would prefer if the Senate did hold hearings and a vote on the nomination, but there hasn’t been any indication of just how important this nomination is to voters and what impact it might have on the November elections, specifically on Senate elections that will decide who ends up controlling the upper chamber starting in January 2017. If this tidbit from Associated Press reporter Julia Pace from Sunday’s edition of Inside Politics on CNN is any indication, the Garland nomination, and the “No Hearings, No Votes” position the GOP appear to be something that few people outside the beltway actually care about: PACE: I sat in on some focus groups this past week with both swing voters and Republican voters, and some of the questions they were asked were about the Supreme Court nomination of Merrick Garland. And this was a real reality check for anyone in Washington who thinks that this issue is really animating voters across the country. I was so struck by how these voters seemed comply uninterested in the nomination fight. Among the swing voters, not one of them said that this was something that would really impact their vote in the fall. And even among the Republican voters who felt like this nomination should wait until the next president, almost none felt like this was an issue that was going to affect their vote either in the presidential race or in their Senate race. KING: Nice try Mr. President, I guess is the result. Pace’s experience with these focus groups is anecdotal, of course, and may not necessarily be representative of the electorate as a whole, but it is consistent with voter behavior in past elections, and it suggests that neither the nomination nor the Senate’s refusal to act on it are going to have much of an impact on the election. It slso suggests that Senate Republicans are unlikely to be motivated to change their position on the nomination at any point before the General Election in November. Historically, the Supreme Court has never been a top voter concern in elections in the past, and generally not among those that voters have told pollsters would play a huge role in their decision on who to vote or in the General Election. Instead, as has almost always been the case, it’s the economy and so-called “pocketbook” issues that voters identify as being important to them. To the extent there are people who feel strongly enough about issues like this for it to impact their vote, they generally tend to fall into two categories. The people in the first group are hard-core Democrats who aren’t going to support Republican candidates for the Senate in any case, so their opinions are ones that GOP Senators tend to ignore. The second group consists of hard core Republicans who strongly support the “No Hearings, No Votes” position and strongly oppose anyone being confirmed to replace Justice Scalia before the next President takes office. This group has made clear that there would be consequences for Senators deviating from the ‘No Hearings, No Votes” position, including possible primary challenges from more conservative candidates and the threat that conservative voter could stay home in November. This is the electoral calculus that Senate Republicans are faced with, and it makes the reasons why they will likely stick together on the decision to take no action on the nomination at least until after the election entirely understandable. The fact that voters as a whole don’t particularly seem to care about these political machinations, it’s likely that they won’t pay much of a political price for their stubbornness.

### --- AT: Puerto Rico

#### Puerto Rican relief won’t pass before the Monday deadline and the next one is in July—not bipartisan at all.

NY Times 4/29. (Puerto Rico Debt Deadline Looms With Washington Still Haggling. April 29, 2016. <http://www.nytimes.com/2016/04/30/business/dealbook/washington-still-haggling-as-puerto-rico-debt-deadline-looms.html>. MMG)

In December, House Speaker Paul D. Ryan instructed lawmakers to find a “responsible solution” to Puerto Rico’s debt crisis in the first three months of this year, giving the island plenty of time to prepare for a May 1 deadline on a $422 million debt payment. So much for that. That deadline is imminent, but Republicans in the House and Democrats in the administration are still haggling over the terms of a bill to rescue Puerto Rico. Missing the payment risks further destabilizing its shrunken economy. And there are concerns that the passage of any legislation could be delayed until the island nears the tipping point of its debt woes: a $2 billion debt payment due on July 1. The May 1 payment consists mainly of principal and interest due from Puerto Rico’s Government Development Bank, a uniquely powerful institution that has played a leading role in the island’s borrowing and financial affairs for decades. Its activities are so numerous and critical that analysts have worried for months that the bank’s failure would have untold ripple effects across the island. Puerto Rico’s governor, Alejandro García Padilla, who has warned about defaults for months, has expressed frustration with Washington’s inability to act quickly. “On Monday there will be a default,” he said on Wednesday. The bank has until the close of business on Monday, since the May 1 due date falls on a Sunday. But the bigger issue may be that second, larger debt bill due in July, roughly $800 million of which is constitutionally guaranteed, giving the payment of it legal priority even over the funding of essential public services, such as police patrols, ambulances or drinking water. Investors who hold the guaranteed debt say they are prepared to fight to enforce their legal rights, no matter how much it may shock and anger the island’s residents. “There’s too much discord,” said Matt Fabian, a managing director at Municipal Market Analytics, referring to the rancor over the rescue bill. “This was supposed to be a very controlled process, and it just got out of hand.” When Mr. Ryan ordered debt relief for Puerto Rico, he may not have known just how intractable the differences were going to be — not only between Democrats and Republicans, but also among certain classes of creditors, some of whom are intent on avoiding the sort of losses that Detroit bondholders were forced to bear after that city went bankrupt in 2013. In addition to lobbying Congress, some of the bondholders are sponsoring television ads that depict the rescue of Puerto Rico as an odious taxpayer bailout. And some other creditors are in quiet talks with representatives of the Puerto Rican government, testing the waters for a sweeping negotiated debt reduction that might obviate congressional action.

#### Won’t pass—no legislation out yet and a bail-out isn’t even on the table.

FOX Latino 4/26. (U.S. Congress won't act on Puerto Rico's debt before deadline, House leader says. April 26, 2016. <http://latino.foxnews.com/latino/money/2016/04/26/us-congress-wont-act-on-puerto-rico-debt-before-deadline-house-leader-says/>. MMG)

Congress will not act to help debt-ridden Puerto Rico ahead of a May 1 deadline when nearly half-a-billion dollars in bond payments come due, House Majority Leader Kevin McCarthy said Tuesday. The California Republican's admission to reporters amounted to a statement of the obvious, given that the deadline is days away and the House has failed so far even to get a bill out of committee. A more important deadline looms July 1 when around $2 billion in principle and interest payments come due. McCarthy said he's "hopeful" a bipartisan bill could emerge from the House by then, though the Senate still would have to act. Even as the island territory, home to 3.5 million American citizens, faces financial catastrophe, Congress has been unable to come together around a solution. Some House conservatives have been scared off by an aggressive ad campaign, funded by shadowy interests, claiming congressional intervention would amount to a bailout. In fact, McCarthy and House Speaker Paul Ryan have been adamant there will be no bailout. Instead the bill they back would set up a control board that could help the commonwealth restructure its ballooning debt, much of it resulting from decades of Washington tax policies that encouraged investment in Puerto Rico, then drove it away. "We're going to protect taxpayers, it will not be a bailout," McCarthy said. "And if we don't proactively do that we could be in a situation that puts taxpayers at risk."

#### Won’t pass and won’t solve—too many ideological battles. XO is more likely and the plan doesn’t link.

NBC News 4/29. (As Clock Ticks on Debt Payment, Puerto Rico Braces for What's Next. April 29, 2016. <http://www.nbcnews.com/news/latino/clock-ticks-debt-payment-puerto-rico-braces-what-s-next-n564891>. MMG)

WASHINGTON -- The U.S. House of Representatives goes on a week-long recess on Saturday without moving on legislation to help Puerto Rico restructure its debt, virtually guaranteeing there will be no congressional action before a $422 million debt payment on May 2nd that the island government says it cannot pay. "On Monday there's going to be a non-payment. I don't think that we'll find $422 million in the next few days that we haven't found before," Puerto Rico Governor Alejandro García Padilla said earlier this week in San Juan. "Although we're working with the creditors to come up with an agreement that would help us, I don't think there's anything on the table that would stop that non-payment. At this point, the ball is in Congress' court." Puerto Rico is going through a severe economic crisis; there have been drastic cuts in health, education and public services as the government has run out of cash. There are regular reports of school closings, hospital wings are being shut down and the island has seen its residents leave for the U.S. mainland in the biggest migration since World War II. Despite steep unemployment, the island's sales tax is the highest in the U.S. at 11.5 percent. There are looming questions of how the island will be able to pay teachers' pensions and how it will handle running essential services. Home foreclosures are the highest in the entire country. Puerto Rico is a U.S. territory and its residents are U.S. citizens. The island commonwealth's government says it plans to use a new law it recently passed that allows for a moratorium on debt payments if no agreement is reached to defer those debt payments. That law sets a "moratorium period" that would run through the end of January 2017. The debt would come due at the end of the moratorium, but island officials say this will give them some breathing room to renegotiate and seek help from Washington, and some payments would be made on a "case by case" basis during the suspension of payments to creditors. This is not the first time that Puerto Rico has made an attempt to restructure its debt, arguing they should be allowed to restructure under Chapter 9 as allowed in the 50 states but not in the island since 1984. "We are not asking for anything unreasonable, because we already had this before," said island senator Ramon Luis Nieves. The government had passed a law last year in Puerto Rico allowing them to restructure but it was struck down by a federal court; it is currently under review in the U.S. Supreme Court. Island officials insist the situation is critical and requires drastic steps. "This is a crisis situation. We've been working on this for a year, and there is a solution, but there has to be a will. We will definitely default on the payment on Monday, but what we are doing is postponing the payment. We aren't saying we're not going to pay it," said Puerto Rico Senate President Eduardo Bhatia. "We are not asking for a bailout. What we are asking for is a restructuring. We have always made our payments. We have no intention of not ever paying."A bill to help the island deal with its $72 billion debt has stalled in Congress over several disagreements, including a proposed federal oversight control board not accountable to the island government, and changes to the federal minimum wage for younger workers on the island. "A bad bill is not any better than no bill at all. Puerto Rico shouldn't be asked to give up its democracy. The members of Congress are not asking that of their own constituents and they shouldn't ask it of Puerto Rico," says Federico de Jesús, a former Puerto Rico government aide and principal at FDJ Solutions, a government policy consulting group. "There still is division among the legislators. They're listening to a small group of bond holders. It's disheartening and a real shame." If Congress doesn't do anything, then the White House should, adds de Jesús. "President Obama should enact emergency measures to help the island, much in the same way he did for the immigration community with his executive action on immigration reform." Carlos Mercader, deputy director of the conservative advocacy group Latino Partnership for Conservative Principles, agrees, saying no one should wait for congressional action. "Things in Congress aren't moving, they're getting stuck in ideological battles. The island should negotiate directly with creditors and negotiate directly with the executive branch, and with (the) Treasury (department)," Mercader said, adding, "Look at all the attention and action on Cuba. Why can't he (President Obama) do the same thing for Puerto Rico?" The congressional legislation has also been criticized for including measures that seem unrelated to debt relief. "A provision in the legislation permits the transfer of 3,100 acres of federal land to Puerto Rico. I believe we need to incorporate protections to ensure that this land is not sold and used to make a 'quick buck' by private developers," said Rep. Nydia Velázquez (D-N.Y.), a native of Puerto Rico. But at a recent summit on the Puerto Rico issue in New York City, Treasury official Antonio Weiss urged a swift passage of Congressional legislation to at least set Puerto Rico on a path to some form of restructuring without the threat of lawsuits from investors. The Center for Individual Freedom, a conservative group based in Alexandra, Va., has been running television ads opposing the congressional bill, calling it a "bailout on the backs of savers and seniors." Federal and island officials and legislators who support a bill in Congress to aid Puerto Rico say the ads are misleading because there is no federal money involved in working on a debt relief agreement, so it can't be considered a "bailout."

### --- AT: CJS

### Won’t pass

#### Won’t pass, too controversial and has bad things from both sides of the aisle. Kerry 4/28

Kerry, Picket. (Reporter for the daily caller)"Lack Of Critical Provision Could Harm Criminal Justice Reform Bill." The Daily Caller. N.p., 28 Apr. 2016 Web. 28 Apr. 2016. <http://dailycaller.com/2016/04/28/lack-of-critical-provision-could-harm-criminal-justice-reform-bill/>. BS

WASHINGTON — The lack of a mens rea provision in the Senate criminal justice reform bill could very well sink the legislation all together.¶ Lawmakers on Capitol Hill have attempted to create bipartisan legislation in the past three years that would give judges more discretion in the sentencing of criminals and reduce a number of the penalties for drug crimes.¶ However, despite agreement on some issues, some Republicans like Arkansas Sen. Tom Cotton ﻿¶ 79%¶ and Alabama Sen. Jeff Sessions ﻿¶ 80%¶ spoke out against the bill saying it would only give violent offenders an opportunity to commit crimes again.¶ Mens rea — a legal term that describes the mental state a person is required to be in while committing a crime for it to be intentional — is included in the House version of the criminal justice reform bill. The legislation is in the Judiciary Committee and the language would make it more difficult to prosecute food, safety, environmental and other business “crimes.” ¶ FROM AROUND THE WEB¶ Sponsored Links by¶ “If this proposal were to pass, it would provide cover for top-level executives, which is, again, not something that we think is in the interest of the American people,” Deputy U.S. attorney general Sally Yates told National Public Radio.¶ House Judiciary Chair Bob Goodlatte disagrees saying, “This is a very carefully crafted bill. Its intent is to protect American citizens who did not know or have reason to know that they were violating federal law.”¶ Senate bill so-sponsor Texas Republican Sen. John Cornyn ﻿¶ 46%¶ told The Daily Caller he would like to see the same provision in the Senate bill, but there is no consensus to do so, as long as the Democrats object to it.¶ “We had that discussion with the Chairman of the House Judiciary Committee. It’s pretty clear to me it’s going to be in the House bill. So at some point, we’re going to need to deal with it, because I think that’s something we are going to need to embrace, because we’ve seen the over-criminalization of our regulatory system on a strict liability, which used to be reserved for civil not criminal cases,” Cornyn said.¶ Rhode Island Democratic Sen. Sheldon Whitehouse ﻿¶ 4%¶ told TheDC, that it was because of senaors like himself who hold opposing views on the issue that there is no mens rea provision in the bill.¶ “The idea that to this good effort, we’re going to attach an effort that gives corporations carte blanche to violate laws that have been set up to protect the public, simply because its hard to prove the state of mind of a corporate defendant, that is asking an awful lot to ride on what is a very good agreement that solves this problem quite well,” Whitehouse said.

### --- AT: CPP

#### Hahaha, you should update your uniqueness—Obama just pocked vetoed it, and those can’t be overridden

Korte 12/19 (Gregory, USA TODAY, 12/19/2015. "Using Pocket Vetoes, Obama Rebuffs GOP Attempt To Kill Clean Power Plan". Accessed December 20 2015. http://www.usatoday.com/story/news/politics/2015/12/19/obama-pocket-veto-clean-power-plan-climate-change/77619582/) PO

WASHINGTON — President Obama has vetoed attempts by the Republican-controlled Congress to kill the Clean Power Plan that's a cornerstone of his climate change initiatives, the White House announced Saturday. "The Clean Power Plan is a tremendously important step in the fight against global climate change," Obama said in a veto message signed late Friday. Reversing those regulations "not only threatens ongoing progress toward cleaner energy, but would also eliminate public health and other benefits" in reducing premature deaths and childhood asthma, he said. The new rules aim to reduce carbon dioxide emissions from power plants 32% by 2030 — a key bargaining chip in the recently completed United Nations Climate Conference in Paris. The two vetoes — on separate resolutions that would have rescinded emissions regulations on both new and existing power plants — bring the total number of Obama vetoes to seven, including five this year. Seven years into his presidency, he's now issued fewer vetoes than any president since Warren G. Harding, who issued six. The vetoes were dated Friday, but announced early Saturday morning from the White House as the president was departing San Bernardino on his way to a two-week family vacation in his native Hawaii. Obama issued pocket vetoes of the resolutions under a constitutional provision that prevents bills from becoming law when Congress adjourns and the president fails to sign them. Both the House and the Senate adjourned for the year on Friday.But for good measure, Obama used a controversial form of veto in which he refused to sign the bill but sent it back to Congress anyway with a veto message. Recent presidents have used the belt-and-suspenders approach to the veto in order to remove any confusion about their intent. Pocket vetoes can't be overridden, but that was nearly impossible anyway because the Senate is 15 votes short of what would be needed.

### --- AT: NRA

#### NRA influence is overestimated

Waldman ’12 (Paul Waldman, Contributing Editor at the American Prospect, “The Myth of NRA Dominance Part III: Two Elections the NRA Did Not Win,” ThinkProgress, 2/22)

As often as they have been repeated, the actual evidence suggests that these ideas are false. A common theme recurs in analysis after analysis: what the NRA claims credit for usually turns out upon closer examination to be nothing more than elections in which Republicans do well. Every election follows a pattern. The NRA says this is the most important election ever, and mobilizes its resources to elect Republicans. If Republicans win, as they did in 1994 and 2000, the group says: See, we told you everything depends on us and our issue. If Democrats win, as they did in 2008 and 2006, the NRA is quiet. Any pro-gun victory is heralded as proof of the group’s power, yet the ample number of House and Senate candidates who win while touting their efforts to restrict guns are ignored (for instance, Democratic Congressman Gerry Connolly of Virginia said of his escape from the Republican wave of 2010, “I actually won re-election because of the gun issue”). And somehow, people like Barack Obama and Bill Clinton manage to get elected despite the NRA’s intense efforts to prevent them from doing so.

### Thumpers

### --- CJS Reform

#### CJS reform is controversial and TOA—thumps.

Barron-Lopez 4/28, (Laura Barron-Lopez, Congressional Reporter, The Huffington Post, “Senators Breathe New Life Into Criminal Justice Reform Bill, Unveil Changes,” April 28, 2016, http://www.huffingtonpost.com/entry/senators-criminal-justice-reform\_us\_57227d46e4b01a5ebde52012)

Efforts to reform the country’s strict sentencing laws aren’t dead in Congress just yet. A bipartisan group of senior senators revealed revisions Thursday to legislation that would reduce mandatory minimum sentences for nonviolent offenders and give judges greater discretion on sentencing for low-level drug crimes. ¶ The changes prevent violent criminals from qualifying for reduced sentencing options. However, they also expand provisions for low-level offenders, meaning more of them will benefit from the legislation and the total number of people affected will remain roughly the same as under the original bill.¶ The revisions also ensure that inmates convicted under the Armed Career Criminal Act will not be able to qualify for reduced sentences, while boosting mandatory sentences for offenses involving the opioid fentanyl, which is tied to drug overdoses and deaths.¶ As the authors intended, the tweaks convinced more Republicans to back the controversial bill. Without strong support within the GOP conference, Senate Judiciary Chair Chuck Grassley (R-Iowa) and Senate Majority Whip John Cornyn (R-Texas) won’t be able to get the legislation to the floor for a vote.¶ As of Thursday, four additional Republican senators joined — Sens. Mark Kirk (Ill.), Steve Daines (Mont.), Thad Cochran (Miss.), and Dan Sullivan (Alaska) — giving the bill 37 co-sponsors. The task now is to continue wooing more members of the GOP conference and convince Senate Majority Leader Mitch McConnell (R-Ky.) that if he brings the package to the floor, it will have enough support to pass with 60 votes. “I think it’s time for those discussions to start right now,” Grassley said of approaching McConnell with the new text and cosponsors.¶ “Mitch McConnell has been waiting for a signal from the Republican side that they’re ready for the bill; I think today we have a signal,” said Senate Minority Whip Dick Durbin (D-Ill.), who helped author the bill. “We’re going to plead with him to put us on the agenda and try to move this as quickly as we can.”¶ Durbin stressed that the bill can pass the upper chamber with a majority of Democrats and Republicans backing it. “This is the best chance in a generation to reform our federal drug sentencing laws,” he said.¶ Still, the bill’s fragility was lost on no one. To keep the package together, Senate Judiciary Committee leadership continued “breathing life into it again though various tribulations,” committee member Sen. Sheldon Whitehouse (D-R.I.) said.¶ And alterations to the bill are unlikely to win over its harshest Republican critics — namely, Sens. Tom Cotton (Ark.), Jeff Sessions (Ala.) and Cornyn’s fellow Texan, GOP hopeful Ted Cruz, who all argue that a reduction in mandatory minimums would make communities less safe.

### --- Puerto Rico

#### Puerto Rico debt crisis thumps—it’s a hugely controversial debate in Congress that overwhelms other issues—the deadline is Monday.

Walsh 4/29, (Mary Williams Walsh, The New York Times, “Puerto Rico Debt Deadline Looms With Washington Still Haggling,” April 29, 2016, http://www.nytimes.com/2016/04/30/business/dealbook/washington-still-haggling-as-puerto-rico-debt-deadline-looms.html?\_r=0)

In December, House Speaker Paul D. Ryan instructed lawmakers to find a “responsible solution” to Puerto Rico’s debt crisis in the first three months of this year, giving the island plenty of time to prepare for a May 1 deadline on a $422 million debt payment.¶ So much for that.¶ That deadline is imminent, but Republicans in the House and Democrats in the administration are still haggling over the terms of a bill to rescue Puerto Rico. Missing the payment risks further destabilizing its shrunken economy. And there are concerns that the passage of any legislation could be delayed until the island nears the tipping point of its debt woes: a $2 billion debt payment due on July 1.¶ The May 1 payment consists mainly of principal and interest due from Puerto Rico’s Government Development Bank, a uniquely powerful institution that has played a leading role in the island’s borrowing and financial affairs for decades. Its activities are so numerous and critical that analysts have worried for months that the bank’s failure would have untold ripple effects across the island. Puerto Rico’s governor, Alejandro García Padilla, who has warned about defaults for months, has expressed frustration with Washington’s inability to act quickly.¶ “On Monday there will be a default,” he said on Wednesday. The bank has until the close of business on Monday, since the May 1 due date falls on a Sunday.¶ But the bigger issue may be that second, larger debt bill due in July, roughly $800 million of which is constitutionally guaranteed, giving the payment of it legal priority even over the funding of essential public services, such as police patrols, ambulances or drinking water. Investors who hold the guaranteed debt say they are prepared to fight to enforce their legal rights, no matter how much it may shock and anger the island’s residents.¶ “There’s too much discord,” said Matt Fabian, a managing director at Municipal Market Analytics, referring to the rancor over the rescue bill. “This was supposed to be a very controlled process, and it just got out of hand.”¶ When Mr. Ryan ordered debt relief for Puerto Rico, he may not have known just how intractable the differences were going to be — not only between Democrats and Republicans, but also among certain classes of creditors, some of whom are intent on avoiding the sort of losses that Detroit bondholders were forced to bear after that city went bankrupt in 2013.

### --- Garland

#### Garland push is TOA—the 9/9/9 plan thumps other issues.

Dovere 4/29, (Edward-Isaac Dovere, Politico, “White House allies make new push for Garland,” April 29, 2016, http://www.politico.com/story/2016/04/white-house-makes-new-push-for-garland-222612)

With time ticking on what White House aides see as their last, slim chance to get Merrick Garland confirmed before the November election — the unlikely scenario he’ll get a hearing and a vote before the Senate breaks for the summer — allies will launch new operations and ads starting Saturday to pressure GOP senators during next week’s recess.¶ To date, the outside allies have focused on the states with the five most vulnerable GOP incumbents (New Hampshire, Wisconsin, Pennsylvania, Ohio and Illinois) and Senate Judiciary Chairman Chuck Grassley’s Iowa. Now they’ll be expanding the map to cover three more incumbents up for reelection: Arizona’s John McCain, North Carolina’s Richard Burr and Missouri’s Roy Blunt.¶ They’re calling it the 9-9-9 campaign: nine states, over nine days, to push for a court with nine justices. (No apologies to Herman Cain, who coined the term for his 2012 tax plan.)

## AT: Elections

### TL Link Turn

#### Disad non-intrinsic—we could logically pass the plan and elect Clinton

#### Fiat solves the link—100% of Congress votes for the plan, not attributed to dems

#### Trump wins now—his centrist positions and willingness to dig up scandals beat Clinton.

Rahn 4/28, (Will Rahn is a political correspondent and managing director, politics, for CBS News Digital, “Commentary: Yes, Donald Trump can beat Hillary Clinton,” April 28, 2016, http://www.cbsnews.com/news/yes-trump-can-beat-hillary-clinton/)

So back to Trump, who still has a few things going for him. His general election strategy, such as it is, seems to be predicated on two strategies: pivot left as far as possible and launch a scorched earth campaign against Clinton.¶ Let's look at these one at a time. On the face of it, insulting your way to the presidency seems like a stupid, unworkable idea. Then again, Clinton has shown herself vulnerable to attacks on her character, not to mention her husband's.¶ The reaction to Rosario Dawson's in-passing reference to Monica Lewinsky over the weekend shows how sensitive the Clinton camp is to such things. Lewinsky is a sympathetic figure wrapped up in a sympathetic cause; Dawson only said that she agrees with her anti-bullying efforts. And yet still there were calls for Dawson to get off the trail for Bernie Sanders, that she had somehow crossed a line just by mouthing the word "Monica."¶ What happens when Trump, after Hillary inevitably accuses him of sexism, says that Bill is a rapist, a serial assaulter of women, and that she is his enabler? What happens when he incorporates this into his stump speech? The upside, if you can call it that, to Trump's refusal to act "presidential" is that he is the only candidate who will go that far. Trump, and Trump alone, is the only candidate who would not only resurrect all the Clinton sex scandals, but make them a centerpiece of his campaign. It could backfire, sure. But the fact is we have no idea how Trump dredging up all this will play, particularly among the younger voters Hillary will be somewhat dependent on. We don't know how Americans who've grown up marinating in discussions of rape culture, who watched the Cosby and Catholic and Dr. Luke scandals unfold, would respond to the renewed visibility of someone like Juanita Broaddrick.¶ And that's just the sex stuff. The Clintons are no strangers to scandals financial and otherwise, and while bringing up all that baggage, in some cases discredited, would seem too-low for a normal candidate, Trump will almost certainly embrace all of it.¶ Hillary's weak points aside, Trump also has one main advantage, which is that he'd be probably the most moderate nominee in decades. Now, Trump is not normally what we think of when we think of moderates - "reactionary moderate" is perhaps the best term to describe him. But border walls and Muslim bans aside, Trump really most closely resembles an old-school northeastern centrist Republican. Trump likes the welfare state. He's made protecting entitlements central to his pitch. It's safe to say that he's likely, at heart, socially liberal -- the story of how he became anti-abortion, for example, doesn't make a great deal of sense. (That story, in brief: friends of his debated having an abortion. They did not. The kid turned out to be "a winner." When pressed if he would have stayed pro-abortion if the kid was a loser, Trump once replied "probably not.")¶ He clearly doesn't like these "Bathroom Bills" popping up in red states; bad for business, and that's always Trump's bottom line. Regardless of what he says in the lead-up to next week's Indiana primary, that probably goes for RFRAs as well. And given the milieu he's always existed in, it's hard to believe he really opposes gay marriage, either.¶ Trump has had the benefit of never really fleshing out what he believes about specific policies; nearly a year into his campaign, we still don't know what he'd replace Obamacare with. He is, as his longtime advisor Roger Stone says, a "big picture" guy: pro-business, pro-military, pro-America. The rest is all open to negotiation, to making the best deal.¶ And, as Jim Antle notes over at The Washington Examiner, that puts him pretty squarely into the vast middle of the American electorate. "The New American Center", as NBC News recently called it, is patriotic. It thinks America is the best country in the world. But it hates our political system and our elites. It doesn't like immigration or Affirmative Action or other programs explicitly designed to help minorities.¶ It is, in other words, Trump's natural base, at least on paper. Now, there are still plenty of reasons why someone who agrees with Trump on a whole mess of issues might still be unwilling to vote for him. But it's a mistake to assume that the man doesn't have a natural constituency outside the GOP.

#### Gun control energizes pro-Clinton groups

Hawkins 2-28

Awr, journalist, NYT: Hillary Clinton Running On Gun Control, GOP Candidates Running From It, Breitbart, http://www.breitbart.com/big-government/2016/02/28/nyt-hillary-clinton-running-on-gun-control-gop-candidates-running-from-it/2

And it is worth noting that **the NYT editorial board** accuses GOP candidates of acting this way due to fealty to the “gun lobby”–which is leftist code talk for NRA, Gun Owners of American, and National Shooting Sports Foundation (NSSF). But they **do not mention the number of campaign stops that gun control proponents Gabby Giffords and her husband Mark Kelly have done and will do for Clinton. Nor do they mention how gun control lobby surrogates in the Brady Campaign to Prevent Gun Violence and other gun control groups have endorsed Clinton as the one who will use the executive office to limit the exercise of Second Amendment rights even further. Huge Congressional losses for gun controllers in 2010 and 2014 notwithstanding, the NYT editorial board is convinced gun control is a wining issue and they hope the Democrats “drive the point home all the way to November**.”

#### Gun control campaigning attracts Dems

Hawkins 3-23

Awr, journalist, Breitbart, Pat Toomey Running Pro-Gun Control Ads as Part of Re-Election Effort http://www.breitbart.com/big-government/2016/03/23/senator-toomey-running-pro-gun-control-ads-as-part-of-re-election-effort/

Senator Sen. Pat **Toomey** (R-PA)60% **is running a pro-gun control ad in hopes of attracting Democrat voters in the buildup to Pennsylvania’s** April 26 **Primary**. According to the Associated Press, the ad is narrated by gun control proponent Nancy Grogran, “a board member of CeasefirePA.” **The ad is** only running in certain areas of the state and appears focused on **creating space between Toomey and pro-gun** GOP presidential **frontrunner** Donald **Trump**.

#### Hillary’s gun control stance leads to advocates rallying around her, popular opinion is changing, and bold leadership like the aff is key to her favorability

Devaney 15

Tim, Gun control groups cheer Clinton's plan, The Hill, http://thehill.com/regulation/255924-gun-control-groups-cheer-clintons-plan

**Gun control advocates are rallying around** Democratic presidential front-runner **Hillary** Clinton, after she unveiled a plan to reduce gun violence around the country. As president, **Clinton suggested** Monday **she would consider**ing take **executive action** to expand background checks and allow victims of gun violence to sue weapons manufacturers. Clinton’s gun control measures make her one of a growing number of presidential candidates to make the controversial issue part of her campaign. **Gun control advocate say this shows the political tide is shifting on the issue**. “**For the first time, presidential candidates are putting forth their agendas for addressing gun violence**, which was not the case in the past,” said Everytown for Gun Safety spokeswoman Erika Soto Lamb. Though they may have discussed it briefly, **neither** President **Obama nor** his Republican challenger Mitt **Romney went to** great **lengths to raise the issue** on the campaign trail in 2012, advocates say. President Obama’s gun reform push came months after he was reelected, following the Sandy Hook Elementary School shooting in Newtown, Conn. But **guns have become more prominent during the 2016 campaigns**. Clinton announced Monday plans to close a loophole that allows criminals to buy firearms at gun shows without going through a background check. This addresses a prominent issue for most gun-control groups. Americans for Responsible Solutions, the gun-control group run by former Rep. Gabby Giffords (D-Ariz.), urged Clinton to pursue these measures through executive action if Congress fails to act. One of Clinton’s Democratic challengers, former Maryland Gov. Martin O’Malley, has also previously called for similar gun control measures on the campaign trail. **Gun control advocates say they are proud to see Clinton make guns a “cornerstone of her campaign.”** “**This is** the type of **bold leadership** that we’ve been **missing in Washington**,” said Dan Gross, president of the Brady Campaign to Prevent Gun Violence.

#### It is impossible to make accurate election predictions—polsci proves

Pitney 12/30 (Jack, professor of political science at Claremont McKenna College in California, “The problem with predicting presidential elections,” Christian Science Monitor, 12/30/15, <http://www.csmonitor.com/USA/Politics/Politics-Voices/2015/1230/The-problem-with-predicting-presidential-elections>) PO

Here’s a New Year’s resolution for political pundits: Be very, very cautious when making predictions about the presidential election. The reason for caution is the “small-N problem.” The letter “N” stands for the number of past cases on which you base your forecast. All other things being equal, the bigger the “N,” the more confidence you can have. When insurance companies set rates for collision coverage, they can analyze the experience of millions of people who have driven billions of miles. Accordingly, they can draw up accurate projections of claims, which is why they make so much money. Political oddsmakers have a lot less material to work with. Since George Washington, there have been only 57 presidential elections in all. For the first nine elections, there are no reliable records of the popular vote, so we have tallies for just 48 cases. Most methods of election forecasting require data from public opinion surveys, which did not exist in their modern form until the 1930s. So if we start with 1936, when Gallup began its presidential election polls, we are down to 20 cases. Many models also involve economic data that are unavailable for election years before 1948, leaving a grand total of 17. Resting on such a small number of cases, election forecasting models simply cannot be precision instruments. At best, they can give us some rules of thumb. If the economy is bad and the president’s approval rating is low – think of Jimmy Carter in 1980 – then the out-party will probably win. Conversely, if the economy and presidential approval are both strong – think of Ronald Reagan in 1984 – then the in-party is a heavy favorite. Things such as economic performance and presidential approval are themselves hard to predict far in advance. At the moment, we do not know how the world will look in the summer and fall of 2016. Maybe the economy will surge and foreign-policy triumphs will push President Obama’s ratings well north of 50 percent. In that case, the Democrats have a good shot at holding the White House. Or maybe there will be pain all around, meaning that the advantage shifts to the GOP. Or maybe the news will be one big “meh,” in which case the models are not sturdy enough to tell us what will happen. Predicting the party nominees is even trickier because the small-N problem is more severe. The current nomination process, consisting mostly of primaries and caucuses, dates back only to 1972. On the GOP side, incumbent presidents did not face major intraparty challenges in 1972, 1984, and 2004, meaning that there have been eight real nomination fights. Bill Clinton (1996) and Barack Obama (2012) had uncontested renominations, so the Democratic total is nine. As Yoda would say, single digits do not an iron law make. Consider the “next in line” theory of Republican presidential nominations. Without a GOP incumbent, the theory held, the party turns to the candidate “next in line,” somebody who has sought the nomination before. Examples include Mr. Reagan in 1980, George H.W. Bush in 1988, Bob Dole in 1996, John McCain in 2008, and Mitt Romney in 2012. In 2016, the two candidates with a claim to be next in line are Mike Huckabee (who finished second to Senator McCain in the 2008 delegate count) and Rick Santorum (the last candidate standing against Mr. Romney in 2012). But neither had enough support to appear on the main stage in the last GOP debate, and both seem headed for oblivion. And then there’s the problem of predicting a nomination contest where a leading candidate has billions in personal wealth and universal name recognition stemming from years as a reality-TV star. The number of precedents is exactly zero, which is the ultimate small-N problem.

#### Can’t predict primaries – alt factors

Silver 1-12

Nate, 538, “How We’re Forecasting The Primaries” http://fivethirtyeight.com/features/how-we-are-forecasting-the-2016-presidential-primary-election/

**Forecasting primaries and caucuses is challenging**, much more so than general elections. **Polls shift rapidly and often prove to be fairly inaccurate, even on the eve of the election. Non-polling factors**, particularly **endorsements**, can provide some additional guidance, but none of them is a magic bullet. **And races with several viable candidates, like the one the Republicans are contesting this year, are especially hard to predict**.

### TL Impact Turn

#### Disad non-intrinsic—we could logically pass the plan and elect Clinton

#### Fiat solves the link—100% of Congress votes for the plan, not attributed to dems

#### Trump wins now—his centrist positions and willingness to dig up scandals beat Clinton.

Rahn 4/28, (Will Rahn is a political correspondent and managing director, politics, for CBS News Digital, “Commentary: Yes, Donald Trump can beat Hillary Clinton,” April 28, 2016, http://www.cbsnews.com/news/yes-trump-can-beat-hillary-clinton/)

So back to Trump, who still has a few things going for him. His general election strategy, such as it is, seems to be predicated on two strategies: pivot left as far as possible and launch a scorched earth campaign against Clinton.¶ Let's look at these one at a time. On the face of it, insulting your way to the presidency seems like a stupid, unworkable idea. Then again, Clinton has shown herself vulnerable to attacks on her character, not to mention her husband's.¶ The reaction to Rosario Dawson's in-passing reference to Monica Lewinsky over the weekend shows how sensitive the Clinton camp is to such things. Lewinsky is a sympathetic figure wrapped up in a sympathetic cause; Dawson only said that she agrees with her anti-bullying efforts. And yet still there were calls for Dawson to get off the trail for Bernie Sanders, that she had somehow crossed a line just by mouthing the word "Monica."¶ What happens when Trump, after Hillary inevitably accuses him of sexism, says that Bill is a rapist, a serial assaulter of women, and that she is his enabler? What happens when he incorporates this into his stump speech? The upside, if you can call it that, to Trump's refusal to act "presidential" is that he is the only candidate who will go that far. Trump, and Trump alone, is the only candidate who would not only resurrect all the Clinton sex scandals, but make them a centerpiece of his campaign. It could backfire, sure. But the fact is we have no idea how Trump dredging up all this will play, particularly among the younger voters Hillary will be somewhat dependent on. We don't know how Americans who've grown up marinating in discussions of rape culture, who watched the Cosby and Catholic and Dr. Luke scandals unfold, would respond to the renewed visibility of someone like Juanita Broaddrick.¶ And that's just the sex stuff. The Clintons are no strangers to scandals financial and otherwise, and while bringing up all that baggage, in some cases discredited, would seem too-low for a normal candidate, Trump will almost certainly embrace all of it.¶ Hillary's weak points aside, Trump also has one main advantage, which is that he'd be probably the most moderate nominee in decades. Now, Trump is not normally what we think of when we think of moderates - "reactionary moderate" is perhaps the best term to describe him. But border walls and Muslim bans aside, Trump really most closely resembles an old-school northeastern centrist Republican. Trump likes the welfare state. He's made protecting entitlements central to his pitch. It's safe to say that he's likely, at heart, socially liberal -- the story of how he became anti-abortion, for example, doesn't make a great deal of sense. (That story, in brief: friends of his debated having an abortion. They did not. The kid turned out to be "a winner." When pressed if he would have stayed pro-abortion if the kid was a loser, Trump once replied "probably not.")¶ He clearly doesn't like these "Bathroom Bills" popping up in red states; bad for business, and that's always Trump's bottom line. Regardless of what he says in the lead-up to next week's Indiana primary, that probably goes for RFRAs as well. And given the milieu he's always existed in, it's hard to believe he really opposes gay marriage, either.¶ Trump has had the benefit of never really fleshing out what he believes about specific policies; nearly a year into his campaign, we still don't know what he'd replace Obamacare with. He is, as his longtime advisor Roger Stone says, a "big picture" guy: pro-business, pro-military, pro-America. The rest is all open to negotiation, to making the best deal.¶ And, as Jim Antle notes over at The Washington Examiner, that puts him pretty squarely into the vast middle of the American electorate. "The New American Center", as NBC News recently called it, is patriotic. It thinks America is the best country in the world. But it hates our political system and our elites. It doesn't like immigration or Affirmative Action or other programs explicitly designed to help minorities.¶ It is, in other words, Trump's natural base, at least on paper. Now, there are still plenty of reasons why someone who agrees with Trump on a whole mess of issues might still be unwilling to vote for him. But it's a mistake to assume that the man doesn't have a natural constituency outside the GOP.

#### **A Trump presidency would crush the GOP**

Chait 2/5 (Jonathan Chait is a commentator and writer for New York magazine. He was previously a senior editor at The New Republic and a former assistant editor of The American Prospect. “Why Liberals Should Support a Trump Republican Nomination,” New York Magazine, 2016, <http://nymag.com/daily/intelligencer/2016/02/why-liberals-should-support-a-trump-nomination.html>) Os

Second, a Trump nomination might upend his party. The GOP is a machine that harnesses ethno-nationalistic fear — of communists, criminals, matrimonial gays, terrorists, snooty cultural elites — to win elections and then, once in office, caters to its wealthy donor base. (This is why even a social firebrand like Ted Cruz would privately assure the billionaire investor Paul Singer that he wasn’t particularly concerned about gay-marriage laws.) As its voting base has lost college-­educated voters and gained blue-collar whites, the fissure between the means by which Republicans attain power and the ends they pursue once they have it has widened. What has most horrified conservative activists about Trump’s rise is how little he or his supporters seem to care about their anti-government ideology. When presented with the candidate’s previous support for higher taxes on the rich or single-payer insurance, heresies of the highest order, Trump fans merely shrug. During this campaign, Trump has mostly conformed to party doctrine, but without much conviction. Trump does not mouth the rote conservative formulation that government is failing because it can’t work and that the solution is to cut it down to size. Instead, he says it is failing because it is run by idiots and that the solution is for it to instead be run by Trump. About half of Republicans favor higher taxes on the rich, a position that has zero representation among their party’s leaders. And those Republicans are the most likely to support Trump. Trump’s candidacy represents, among other things, a revolt by the Republican proletariat against its master class. That is why National Review devoted a cover editorial and 22 columns to denouncing Trump as a heretic to the conservative movement. A Trump nomination might not actually cleave the GOP in two, but it could wreak havoc. If, like me, you think the Republican Party in its current incarnation needs to be burned to the ground and rebuilt anew, Trump is the only one holding a match.

#### **This forces us to confront our issues**

Orujyan 3/29 (Armen, founder and CEO of Athgo International, “Why an Embarrassing President Trump Might Be Good for America,” Fortune, 2016, <http://fortune.com/2016/03/29/trump-presidency-selective-memory/>) OS

Would a Trump presidency fix our national problems? Probably not. But, his presidency should not be viewed through that lens. Rather, think of it like this: President Trump is perfectly suited to be the commander-in-chief of political incorrectness and international blunders. He will rip the bandage that covers the corrosion of our country. A Trump presidency would likely produce alarming missteps, yet in the process it would expose the real problems our nation faces—problems that, if not corrected today, will cause far graver damage tomorrow. The worse he does, the better it may be for the country. Let me use an analogy: When we maintain a dreadful diet, we steadily worsen our health. We somehow think that heart conditions happen to other people, to our neighbors and strangers on TV. But never to us. The relative ease of doing nothing trumps (no pun intended) the fear of negative outcomes. Today, as a nation we have clogged the walls of our arteries. That is where President Trump comes in. The electorate that supports Trump is part of our national fabric, and it is playing the role of an organism that stimulates the stroke our society needs. They anticipate that President Trump will rip off that bandage and bring about a shock of awareness as to how things are, regardless of how politically incorrect or suicidal that may appear. They are fighting against our selective memory.

#### **Also solves warming**

Cowen 1/25 (Tyler Cowen is an American economist, academic, and writer. He occupies the Holbert C. Harris Chair of economics, as a professor at George Mason University. “Tyrone on why Democrats should vote for Donald Trump,” Marginal Revolution, 2016, <http://marginalrevolution.com/marginalrevolution/2016/01/tyrone-democrats-vote-donald-trump.html>) OS edited for problematic language

OK people, let’s say Trump sticks to the mainstream Republican position. What will happen then? Won’t greedy capitalists [destroy] the earth, not to mention building that energy-consuming wall? Well, in the short run, maybe. (Don’t forget Lennon on the omelette and those broken eggs!) But we all know how disastrous Trump’s economic ideas would be in practice. They would lower the growth rate of gdp and impoverish the masses. Even if you read Trump as a policy moderate, just imagine what his volatile temperament would do to the equity risk premium. (Then they would have to give Robert Barro a Nobel prize!) And so, four or maybe eight years later, — or is it two? — what we could expect to find? A fully Democratic Congress and White House. (And dear reader, is there any other way to get there?) And thus would arrive comprehensive climate change legislation, just as we got Obamacare post-2008. Voila! That’s way more important than maintaining America’s status as a nice, well-respected, and tolerant country, isn’t it? So Democrats, if you really care about Bangladesh and Vietnam, and don’t just have this silly mood affiliation fancy that Tyler has fabricated, you should promote the candidacy of Donald Trump. The more Democratic you are, the better. The more worried about climate change you are, the better. Your man has arrived on the national scene. Finally.

#### Warming causes extinction

Tickell 08 – (Oliver, The Guardian, “On a planet 4C hotter, all we can prepare for is extinction”, 8/11, http://www.guardian.co.uk/commentisfree/2008/aug/11/climatechange)

We need to get prepared for four degrees of global warming, Bob Watson told the Guardian last week. At first sight this looks like wise counsel from the climate science adviser to Defra. But **the idea that we could adapt to a 4C rise is absurd and dangerous. Global warming on this scale would be a catastrophe that would mean**, in the immortal words that Chief Seattle probably never spoke, "the end of living and the beginning of survival" for humankind. Or perhaps the beginning of our extinction**. The collapse of the polar ice caps would become inevitable, bringing long-term sea level rises of 70-80 metres. All the world's coastal plains would be lost, complete with ports, cities, transport and industrial infrastructure, and much of the world's most productive farmland.** The world's geography would be transformed much as it was at the end of the last ice age, when sea levels rose by about 120 metres to create the Channel, the North Sea and Cardigan Bay out of dry land. Weather would become extreme and unpredictable, with more frequent and severe droughts, floods and hurricanes. **The Earth's carrying capacity would be hugely reduced. Billions would undoubtedly die.** Watson's call was supported by the government's former chief scientific adviser, Sir David King, who warned that "if we get to a four-degree rise it is quite possible that we would begin to see a runaway increase". This is a remarkable understatement. **The climate system is already experiencing significant feedbacks, notably the summer melting of the Arctic sea ice. The more the ice melts, the more sunshine is absorbed by the sea, and the more the Arctic warms. And as the Arctic warms, the release of billions of tonnes of methane** – a greenhouse gas 70 times stronger than carbon dioxide over 20 years – **captured under melting permafrost is already under way**. **To see how far this process could go, look 55.5m years to the Palaeocene-Eocene Thermal Maximum, when a global temperature increase of 6C coincided with the release of about 5,000 gigatonnes of carbon into the atmosphere,** both as CO2 and as methane from bogs and seabed sediments. Lush subtropical forests grew in polar regions, and sea levels rose to 100m higher than today. It appears that **an initial warming pulse triggered other warming processes. Many scientists warn that this historical event may be analogous to the present: the warming caused by human emissions could propel us towards a similar hothouse Earth**.

#### Hillary increases US/China tensions

Dingding Chen ’15 [assistant professor of Government and Public Administration], The Diplomat 15, 4-20-2015, "3 Ways a Hillary Clinton Presidency Would Affect US-China Relations," Diplomat, http://thediplomat.com/2015/04/3-ways-a-hillary-clinton-presidency-would-affect-us-china-relations/

First, it is about Clinton’s past attitudes toward China. While still the first lady, Hillary Clinton had some tough words for China when she attended the fourth world conference on women in Beijing in 1995. That unhappy memory still lingers on the minds of many Chinese. Then again, recently Hillary strongly criticized China for arresting five women for promoting women’s rights. And then, of course, Chinese officials and scholars did not appreciate her interference in China’s disputes with other Asian countries in the South China Sea. Many in China also acknowledge the United States’ pivot to Asia – or rebalance – strategy as Hillary’s brainchild, for better or worse. So most Chinese experts have concluded, perhaps correctly, that Hillary Clinton is a strong leader who would do everything possible to maintain American hegemony in the world, a goal increasingly at odds with China’s growing geopolitical desires. Second, if elected, Clinton’s party, the Democratic Party, is traditionally strong on issues like human rights and trade protectionism. Chairman Mao once said jokingly that he would any day prefer to deal with the Republican Party, and that might still be the case of Chinese leaders today. Again, this might be a misperception because the Republican Party is also known for its tendency to flex America’s military muscle, something China wouldn’t prefer. So it remains to be seen whether another Democratic president would act tough on China. Third, and perhaps most importantly, there is increasing tension between China and the United States from a structural point of view as China continues to grow stronger economically and militarily. China will demand more power and respect from the United States, and the United States will refuse to give in as long as it can sustain the current global system. Such structural tensions will not disappear if both sides cannot find an effective way to narrow their differences, manage their conflicts carefully, and eventually share power in Asia. It is in this sense that the person to assume the next U.S. presidency probably matters very little. Whether or not the next U.S. president will adopt a tougher approach toward China very much depends on the capabilities and intentions of the United States as a whole. A single individual, even someone as powerful as the U.S. president, might not have a large enough influence on the democratic and fragmented U.S. system to cause real change. Many in China tend to neglect the influence of the U.S. Congress on American foreign policy, but, in reality, Congress can have a huge impact on U.S. foreign policy. It seems that the Republican Party will continue to dominate the Congress in near future, thus putting more constraints on a Democratic president. In the end, the attitude Hillary Clinton, if elected, would adopt toward China is a result of all three factors mentioned above. The bad news, however, is that all three factors seem to converge and point to a more turbulent relationship between China and the United States.

#### US-China relations solve extinction—trans-national conflict, economic collapse, and warming

Cohen ’9 (William S. Cohen is chairman and CEO of The Cohen Group, a strategic business consulting firm based in Washington, D.C. Secretary Cohen served as U.S. secretary of defense, Maurice R. Greenberg is chairman and CEO of C.V. Starr & Co., Inc. Mr. Greenberg retired four years ago as chairman and CEO of American International Group (AIG) after more than 40 years of leadership, creating the largest insurance company in history, “Smart Power in U.S.-China Relations,” http://csis.org/files/media/csis/pubs/090309\_mcgiffert\_uschinasmartpower\_web.pdf)

#### The evolution of Sino-U.S. relations over the next months, years, and decades has the potential to have a greater impact on global security and prosperity than any other bilateral or multilateral arrangement. In this sense, many analysts consider the US.-China diplomatic relationship to be the most influential in the world. Without question, strong and stable U.S. alliances provide the foundation for the protection and promotion of U.S. and global interests. Yet within that broad framework, the trajectory of U.S.-China relations will determine the success, or failure, of efforts to address the toughest global challenges: global financial stability, energy security and climate change, nonproliferation, and terrorism, among other pressing issues. Shepherding that trajectory in the most constructive direction possible must therefore be a priority for Washington and Beijing. Virtually no major global challenge can be met without U.S.-China cooperation. The uncertainty of that future trajectory and the "strategic mistrust" between leaders in Washington and Beijing necessarily concerns many experts and policymakers in both countries. Although some U.S. analysts see China as a strategic competitor—deliberately vying with the United States for energy resources, military superiority, and international political influence alike— analysis by the Center for Strategic and International Studies (CSIS) has generally found that China uses its soft power to pursue its own, largely economic, international agenda primarily to achieve its domestic objectives of economic growth and social stability.1 Although Beijing certainly has an eye on Washington, not all of its actions are undertaken as a counterpoint to the United States. In addition, CSIS research suggests that growing Chinese soft power in developing countries may have influenced recent U.S. decisions to engage more actively and reinvest in soft-power tools that have atrophied during the past decade. To the extent that there exists a competition between the United States and China, therefore, it may be mobilizing both countries to strengthen their ability to solve global problems. To be sure, U.S. and Chinese policy decisions toward the respective other power will be determined in large part by the choices that leaders make about their own nations interests at home and overseas, which in turn are shaped by their respective domestic contexts. Both parties must recognize—and accept—that the other will pursue a foreign policy approach that is in its own national interest. Yet, in a globalized world, challenges are increasingly transnational, and so too must be their solutions. As demonstrated by the rapid spread of SARS from China in 2003, pandemic flu can be spread rapidly through air and via international travel. Dust particulates from Asia settle in Lake Tahoe. An economic downturn in one country can and does trigger an economic slowdown in another. These challenges can no longer be addressed by either containment or isolation. What constitutes the national interest today necessarily encompasses a broader and more complex set of considerations than it did in the past As a general principle, the United States seeks to promote its national interest while it simultaneously pursues what the CSIS Commission on Smart Power called in its November 2007 report the "global good."3 This approach is not always practical or achievable, of course. But neither is it pure benevolence. Instead, a strategic pursuit of the global good accrues concrete benefits for the United States (and others) in the form of building confidence, legitimacy, and political influence in key countries and regions around the world in ways that enable the United States to better confront global and transnational challenges. In short, the global good comprises those things that all people and governments want but have traditionally not been able to attain in the absence of U.S. leadership. Despite historical, cultural, and political differences between the United States and China, Beijing's newfound ability, owing to its recent economic successes, to contribute to the global good is a matter for common ground between the two countries. Today there is increasing recognition that no major global challenge can be addressed effectively, much less resolved, without the active engagement of—and cooperation between—the United States and China. The United States and China—the worlds first- and third-largest economies—are inextricably linked, a fact made ever more evident in the midst of the current global financial crisis. Weak demand in both the United States and China, previously the twin engines of global growth, has contributed to the global economic downturn and threatens to ignite simmering trade tensions between the two countries. Nowhere is the interconnectedness of the United States and China more clear than in international finance. China has $2 trillion worth of largely U.S. dollar-denominated foreign exchange reserves and is the world's largest holder—by far—of U.S. government debt. Former treasury secretary Henry M. Paulson and others have suggested that the structural imbalances created by this dynamic fueled the current economic crisis. Yet. China will almost certainly be called on to purchase the lion's share of new U.S. debt instruments issued in connection with the U.S. stimulus and recovery package. Secretary of State Hillary Rodham Clinton's February 23.2009, reassurance to Beijing that U.S. markets remain safe and her call for continued Chinese investment in the U.S. bond market as a means to help both countries, and the world, emerge from global recession underscored the shared interest—and central role—that both countries have in turning around the global economy quickly. Although China's considerable holdings of U.S. debt have been seen as a troubling problem, they are now being perceived as a necessary part of a global solution. Similarly, as the worlds two largest emitters of greenhouse gases, China and the United States share not only the collateral damage of energy-inefficient economic growth, but a primary responsibility to shape any ultimate global solutions to climate change. To date, cooperation has been elusive, owing as much to Washington's reluctance as to Beijing's intransigence. Painting China as the environmental bogeyman as an excuse for foot-dragging in policymaking is no longer an option; for its part, China, as the world's top polluter, must cease playing the developing-economy card. Yet energy security and climate change remain an area of genuine opportunity for joint achievement. Indeed, U.S.-China cooperation in this field is a sine qua non of any response to the energy and climate challenges. The sheer size of the Chinese economy means that collaboration with the United States could set the de facto global standards for efficiency and emissions in key economic sectors such as industry and transportation. Climate change also provides an area for cooperation in previously uncharted policy waters, as in emerging Arctic navigational and energy exploration opportunities. Washington and Beijing also share a deep and urgent interest in international peace and stability. The resumption of U.S.-China military contacts is a positive development. As two nuclear powers with worldwide economic and strategic interests, both countries want to minimize instability and enhance maritime security, as seen by parallel antipiracy missions in the waters otT Somalia. Joint efforts in support of United Nations peacekeeping, nonproliferation, and counterterrorism offer critical areas for bilateral and multilateral cooperation. Certainly, regional and global security institutions such as the Six-Party Talks concerning North Korea or the UN Security Council require the active engagement of both Washington and Beijing. Even more broadly, crisis management in geographic regions of mutual strategic interest like the Korean peninsula, Iran, or Burma require much more Sino-U.S. communication if the two countries are to avoid miscalculation and maximize opportunities to minimize human sutfering. Increasing the number of mid-level military-to-military exchanges would help in this regard. The United States and China could do more to cooperate on law enforcement to combat drug trafficking and organized crime in Western China. Afghanistan is competing with Burma as the main provider of narcotics to China; Washington could use its influence with the International Security Assistance Force in Kabul to develop a joint antinarcotics program. This could potentially build networks and joint capabilities that might be useful for U.S.-China cooperation on the issue of Pakistan. In addition, Washington should also encourage NATO-China cooperation along the Afghan border. Collaborating under the auspices of the Shanghai Cooperation Organization (SCO) might provide an additional framework for Beijing and Washington to address Central Asian security issues in a cooperative manner. 1he SCO, which includes Pakistan as an observer and will convene a multinational conference on Afghanistan in March 2009, has long made curbing narcoterrorism in Afghanistan a priority. In addition, the VS. Drug Enforcement Agency and the Chinese Anti-Narcotics Bureau should expand cooperation on interdiction and prosecution of heroin and meth traffickers. To be sure, there are a number of areas of serious divergence between Washington and Beijing. This should surprise no one. The United States has disagreements with even its allies. Two large powers with vastly dilferent histories, cultures, and political systems are bound to have challenges. History has shown, however, that the most effective way of addressing issues is for the U.S. and Chinese governments to engage in quiet diplomacy rather than public recrimination. In the U.S.-China context, there is often little to be gained—and much to be lost in terms of trust and respect—by a polarizing debate. Any differences, moreover, must not necessarily impede Sino-U.S. cooperation when both sides share strong mutual interests. I;. Scott Fitzgerald wrote that "the test of a first-rate intelligence is the ability to hold two opposed ideas in the mind at the same time, and still retain the ability to function."3 Effective policy toward China by the United States, and vice versa, will require this kind of dual-minded intelligence. Moreover, working together on areas of mutual and global interest will help promote strategic trust between China and the United States, facilitating possible cooperation in other areas. Even limited cooperation on specific areas will help construct additional mechanisms for bilateral communication on issues of irreconcilable disagreement. In fact, many of the toughest challenges in U.S.-China relations in recent years have been the result of unforeseen events, such as the accidental bombing of the Chinese embassy in Belgrade in May 1999 and the EP-3 reconnaissance plane collision in April 2001. Building trust and finding workable solutions to tough problems is the premise behind the Obama administrations foreign policy of smart power, as articulated by Secretary of State Clinton. Smart power is based on, as Secretary Clinton outlined in her confirmation hearing, the fundamental belief that 'We must use... the full range of tools at our disposal—diplomatic, economic, military, political and cultural—picking the right tool, or combination of tools, for each situation."' As the CS1S Commission on Smart Power noted in November 2007, "Smart Power is neither hard nor soft—it is the skillful combination of bothIt is an approach that underscores the necessity of a strong military, but also invests heavily in alliances, partnerships and institutions at all levels... .°5 As such, smart power necessarily mandates a major investment in a U.S.-China partnership on key issues. 'The concept enjoys broad support among the Chinese and American people and, by promoting the global good, it reaps concrete results around the world. There should be no expectation that Washington and Beijing will or should agree on all, or even most, questions. But the American and Chinese people should expect their leaders to come together on those vital issues that require their cooperation. U.S.-China partnership, though not inevitable, is indispensable. Clinton collapses US-Russia relations

Miller ’15(S.A. Miller, reports from Capitol Hill on politics, policy and political campaigns for The Washington Times, The Washington Times - Tuesday, June 9, 2015. “Hillary Clinton’s hawkish position on Russia troubles both sides of aisle” <http://www.washingtontimes.com/news/2015/jun/9/hillary-clintons-hawkish-position-on-russia-troubl/?page=all>)

Democratic presidential front-runner Hillary Rodham Clinton has pivoted left on domestic issues but stands out on foreign policy as more hawkish than some of her GOP rivals, even stoking fears that she’s ready to put the U.S. on a warpath with Russia. Mrs. Clinton is poised to make her foreign policy experience as senator and secretary of state a central argument for her White House run. It’s a record that includes supporting military intervention in Iraq and Libya, positions that put her at odds with her party’s liberal base. And since leaving the State Department in 2013, her harsh rhetoric about Russia raised eyebrows among hawks and doves alike. At a California fundraiser last year, she reportedly compared Russian President Vladimir Putin to Adolf Hitler. At a meeting earlier this year with London Mayor Boris Johnson, he said she faulted European leaders for being “too wimpy” about challenging Mr. Putin. Conservative commentator Paul Craig Roberts, an economist who served as assistant secretary of treasury under President Reagan, warned that Mrs. Clinton will have a difficulty backing down from a confrontation with Mr. Putin after calling him Hitler. “When you go that far out on a limb, you really kind of have to go the rest of the way,” he said in an interview at Infowars.com. “I don’t’ think there is any candidate that we can end up with as president that would be more likely to go to war with Russia than Hillary.” Mrs. Clinton isn’t the only candidate to take a tough stand on Russia’s annexation of Crimea and ongoing involvement in the warfare in eastern Ukraine. But she brings more heat to the discourse than any other Democrat or most Republicans. Former Florida Gov. Jeb Bush, who is expected to announce his presidential run next week, gave a speech Wednesday in Berlin in which he said the West should “push back” against Russian aggression. Mr. Bush described Mr. Putin as a bully who “will push until someone pushes back.” But he warned against being reactionary and pushing away the Russian people, as occurred during the Cold War. “I don’t think we should be reacting to bad behavior. By being clear of what the consequences of that bad behavior is in advance, I think we will deter the kind of aggression we fear from Russia,” he said. “But always reacting and giving the sense we’re reacting in a tepid fashion only enables the bad behavior of Putin.” Still, Mr. Roberts said that Mrs. Clinton doesn’t just talk tough but “is in tight with the military-security complex.” Former Green Party presidential candidate Ralph Nader recently called her “a deep corporatist and a deep militarist.” He said that when Mrs. Clinton served on the Senate Armed Services Committee, she “never met a weapons system she didn’t like.” Mr. Nader also blamed Mrs. Clinton for “almost single-handedly” pushing President Obama into lending U.S. military support to depose Libyan dictator Moammar Gadhafi, which unleashed chaos in the country that spread throughout the region and helped the terrorist army that calls itself the Islamic State gain a foothold. “She persuaded the White House that it was an easy topple without knowing that, in a tribal society with nothing to replace it, you would have a civil war, sectarian killings spilling into Africa [and] weapons everywhere [in] Mali [and] central Africa. The big thing is the huge amount of geography that has been destabilized because of the Libyan overthrow.” Mr. Nader’s criticism echoed comments form some of Mrs. Clinton’s Republican rivals, including Sen. Rand Paul of Kentucky, who has said that she will have to answer not only for the deadly attack on the U.S. compound in Benghazi but for the other far-reaching consequences of her Libya policy. For liberal activists, Mrs. Clinton’s foreign policy record compounds their concerns that she doesn’t truly support their agenda. “We definitely view Hillary as pretty far right when it comes to foreign policy,” said Alli McCracken, national coordinator for the feminist anti-war group Code Pink. She said that Mrs. Clinton acts “more like a war general than a diplomat,” including supporting the Iraq invasion, the troop surge in Afghanistan, the Libya overthrow and a potential strike on Iran. “I hope that the left puts pressure on her to break away from the status quo,” said Ms. McCracken. “I hope that there is pressure put on her to not just have left-leaning domestic polices and support of women’s rights here in the U.S. but women’s rights everywhere, and that means taking military options off the table.”

#### Collapse of Russian relations causes nuclear war

Cohen ’11 (Stephen Cohen, Ph.D., professor of Russian studies at New York University and Professor of Politics Emeritus at Princeton University. “Obama's Russia 'Reset': Another Lost Opportunity?” <http://www.thenation.com/article/161063/obamas-russia-reset-another-lost-opportunity?page=full>)

An enduring existential reality has been lost in Washington’s post–cold war illusions and the fog of subsequent US wars: the road to American national security still runs through Moscow. Despite the Soviet breakup twenty years ago, only Russia still possesses devices of mass destruction capable of destroying the United States and tempting international terrorists for years to come. Russia also remains the world’s largest territorial country, a crucial Eurasian frontline in the conflict between Western and Islamic civilizations, with a vastly disproportionate share of the planet’s essential resources including oil, natural gas, iron ore, nickel, gold, timber, fertile land and fresh water. In addition, Moscow’s military and diplomatic reach can still thwart, or abet, vital US interests around the globe, from Afghanistan, Iran, China and North Korea to Europe and Latin America. In short, without an expansive cooperative relationship with Russia, there can be no real US national security. And yet, when President Obama took office in January 2009, relations between Washington and Moscow were so bad that some close observers, myself included, characterized them as a new cold war. Almost all cooperation, even decades-long agreements regulating nuclear weapons, had been displaced by increasingly acrimonious conflicts. Indeed, the relationship had led to a military confrontation potentially as dangerous as the 1962 Cuban missile crisis. The Georgian-Russian War of August 2008 was also a proxy American-Russian war, the Georgian forces having been supplied and trained by Washington. What happened to the “strategic partnership and friendship” between post-Soviet Moscow and Washington promised by leaders on both sides after 1991? For more than a decade, the American political and media establishments have maintained that such a relationship was achieved by President Bill Clinton and Russian President Boris Yeltsin in the 1990s but destroyed by the “antidemocratic and neo-imperialist agenda” of Vladimir Putin, who succeeded Yeltsin in 2000. In reality, the historic opportunity for a post–cold war partnership was lost in Washington, not Moscow, when the Clinton administration, in the early 1990s, adopted an approach based on the false premise that Russia, having “lost” the cold war, could be treated as a defeated nation. (The cold war actually ended through negotiations sometime between 1988 and 1990, well before the end of Soviet Russia in December 1991, as all the leading participants—Soviet President Mikhail Gorbachev, President Ronald Reagan and President George H.W. Bush—agreed.) The result was the Clinton administration’s triumphalist, winner-take-all approach, including an intrusive crusade to dictate Russia’s internal political and economic development; broken strategic promises, most importantly Bush’s assurance to Gorbachev in 1990 that NATO would not expand eastward beyond a reunited Germany; and double-standard policies impinging on Russia (along with sermons) that presumed Moscow no longer had any legitimate security concerns abroad apart from those of the United States, even in its own neighborhood. The backlash came with Putin, but it would have come with any Kremlin leader more self-confident, more sober and less reliant on Washington than was Yeltsin. Nor did Washington’s triumphalism end with Clinton or Yeltsin. Following the events of September 11, 2001, to take the most ramifying example, Putin’s Kremlin gave the George W. Bush administration more assistance in its anti-Taliban war in Afghanistan, including in intelligence and combat, than did any NATO ally. In return, Putin expected the long-denied US-Russian partnership. Instead, the Bush White House soon expanded NATO all the way to Russia’s borders and withdrew unilaterally from the Anti-Ballistic Missile Treaty, which Moscow regarded as the bedrock of its nuclear security. Those “deceptions” have not been forgotten in Moscow. Now Russia’s political class, alarmed by the deterioration of the country’s essential infrastructures since 1991, is locked in a struggle over the nation’s future—one with profound consequences for its foreign policies. One side, associated with Putin’s handpicked successor as president, Dmitri Medvedev, is calling for a “democratic” transformation that would rely on “modernizing alliances with the West.” The other side, which includes ultra-nationalists and neo-Stalinists, insists that only Russia’s traditional state-imposed methods, or “modernization without Westernization,” are possible. As evidence, they point to NATO’s encirclement of Russia and other US “perfidies.” The choice of “modernizing alternatives” will be made in Moscow, not, as US policy-makers once thought, in Washington, but American policy will be a crucial factor. In the centuries-long struggle between reform and reaction in Russia, anti-authoritarian forces have had a political chance only when relations with the West were improving. In this regard, Washington still plays the leading Western role, for better or worse.

#### It is impossible to make accurate election predictions—polsci proves

Pitney 12/30 (Jack, professor of political science at Claremont McKenna College in California, “The problem with predicting presidential elections,” Christian Science Monitor, 12/30/15, <http://www.csmonitor.com/USA/Politics/Politics-Voices/2015/1230/The-problem-with-predicting-presidential-elections>) PO

Here’s a New Year’s resolution for political pundits: Be very, very cautious when making predictions about the presidential election. The reason for caution is the “small-N problem.” The letter “N” stands for the number of past cases on which you base your forecast. All other things being equal, the bigger the “N,” the more confidence you can have. When insurance companies set rates for collision coverage, they can analyze the experience of millions of people who have driven billions of miles. Accordingly, they can draw up accurate projections of claims, which is why they make so much money. Political oddsmakers have a lot less material to work with. Since George Washington, there have been only 57 presidential elections in all. For the first nine elections, there are no reliable records of the popular vote, so we have tallies for just 48 cases. Most methods of election forecasting require data from public opinion surveys, which did not exist in their modern form until the 1930s. So if we start with 1936, when Gallup began its presidential election polls, we are down to 20 cases. Many models also involve economic data that are unavailable for election years before 1948, leaving a grand total of 17. Resting on such a small number of cases, election forecasting models simply cannot be precision instruments. At best, they can give us some rules of thumb. If the economy is bad and the president’s approval rating is low – think of Jimmy Carter in 1980 – then the out-party will probably win. Conversely, if the economy and presidential approval are both strong – think of Ronald Reagan in 1984 – then the in-party is a heavy favorite. Things such as economic performance and presidential approval are themselves hard to predict far in advance. At the moment, we do not know how the world will look in the summer and fall of 2016. Maybe the economy will surge and foreign-policy triumphs will push President Obama’s ratings well north of 50 percent. In that case, the Democrats have a good shot at holding the White House. Or maybe there will be pain all around, meaning that the advantage shifts to the GOP. Or maybe the news will be one big “meh,” in which case the models are not sturdy enough to tell us what will happen. Predicting the party nominees is even trickier because the small-N problem is more severe. The current nomination process, consisting mostly of primaries and caucuses, dates back only to 1972. On the GOP side, incumbent presidents did not face major intraparty challenges in 1972, 1984, and 2004, meaning that there have been eight real nomination fights. Bill Clinton (1996) and Barack Obama (2012) had uncontested renominations, so the Democratic total is nine. As Yoda would say, single digits do not an iron law make. Consider the “next in line” theory of Republican presidential nominations. Without a GOP incumbent, the theory held, the party turns to the candidate “next in line,” somebody who has sought the nomination before. Examples include Mr. Reagan in 1980, George H.W. Bush in 1988, Bob Dole in 1996, John McCain in 2008, and Mitt Romney in 2012. In 2016, the two candidates with a claim to be next in line are Mike Huckabee (who finished second to Senator McCain in the 2008 delegate count) and Rick Santorum (the last candidate standing against Mr. Romney in 2012). But neither had enough support to appear on the main stage in the last GOP debate, and both seem headed for oblivion. And then there’s the problem of predicting a nomination contest where a leading candidate has billions in personal wealth and universal name recognition stemming from years as a reality-TV star. The number of precedents is exactly zero, which is the ultimate small-N problem.

#### Can’t predict the election – too much uncertainty

Stanley 12/30/15 (Tim, "Clinton v Trump in 2016? Everything could change in the New Year", The Telegraph)

Things to look out for The race is open, the cast of characters bizarre. It would be foolish to make predictions. Nevertheless, the media’s focus on Clinton and Trump as unbeatable titans is premature. The Democrat race could be nail-biting in February, while the Republican contest should have opened up by March. Meanwhile, keep your eyes open for two developments in the first two weeks of 2016. First, those new Trump ads could solidify his lead. Alternatively, they could turn people off. Until now, Trump has been a talking point on news progammes. An ad campaign makes him a serious consideration for president - and that triggers a different psychological reaction. Second, the issue agenda might change dramatically. Trump has done well in part because immigration and terrorism have dominated the headlines, playing to his America first message. But on January 12, Obama gives his State of the Union address. Hillary Clinton has to say where she stands in relation to Obama’s record. The Republicans have to acknowledge the domestic issues of deficit reduction and healthcare. For a very long time, this campaign has been stuck on superficial. Hopefully that will all change in 2016.

### Thumper (FP)

#### Cuba relations and Iran deal thump

Kraushaar 15 (Josh, 7-15-15, "Obama's Foreign Policy Is Hurting Hillary Clinton's 2016 Chances" Government Executive) [www.govexec.com/management/2015/07/obamas-foreign-policy-hurting-hillary-clintons-2016-chances/117802/](http://www.govexec.com/management/2015/07/obamas-foreign-policy-hurting-hillary-clintons-2016-chances/117802/)

President Obama has taken two huge political risks when it comes to his second-term foreign policy. He's sought to normalize relations with Cuba, demanding few changes in the dictatorship's human-rights record while granting the country diplomatic recognition. And on Tuesday, he cut a controversial nuclear deal with Iran, one that's expected to be opposed by the mainstream pro-Israel American Israel Public Affairs Committee—and has chilled the traditionally close relationship between the U.S. and the Jewish homeland. Those decisions will be reverberating in Florida, the most-significant battleground state on the presidential map, where Cuban-Americans and Jewish-Americans make up a sizable share of voters. Obama won the state in 2012 by only a 0.87 percent margin, or 74,000 votes out of over 8.4 million cast. His victory wouldn't have been possible if he didn't make major inroads with the traditionally conservative Cuban-American community, or if he'd lost significant ground with Jewish voters in the state. Obama's unorthodox foreign policy, conducted after his reelection in 2012, will receive a clear up-and-down vote in the Sunshine State next year—but with Hillary Clinton on the ballot.

### AT: Russia

#### No US-Russia escalation over Former Soviet States – Ukraine proves

Apps ‘14 This evidence is internally quoting Dmitri Gorenburg, Russia analyst at the Centre for Naval Analyses. Peter Apps is political risk correspondent for Reuter’s for Europe, the Middle East and Africa, covering a range of stories on the interplay between politics, economics and markets. – “West struggles as Russia moves to dominate old USSR” – Reuter’s – April 11th, 2014 – http://uk.reuters.com/article/2014/04/11/uk-ukraine-crisis-strategy-analysis-idUKBREA3A0FQ20140411)

"This is a timely wake-up call," said Michael Leigh, former deputy head of external relations for the European Commission and now senior adviser to the German Marshall Fund. "With the West scarcely responding to Crimea, Putin may feel he has nothing to lose for further annexation. "A couple of tough winters is a price worth paying." A Russian move into eastern Ukraine would almost certainly spark at least limited military conflict between Russia and Ukraine. How the West would react to that is currently very far from clear. In Washington, President Barack Obama faces calls to arm Ukraine and step up training and other military links. But there is little real enthusiasm for direct involvement, much less a nuclear face-off with Moscow. If a Russian invasion did spark a messy insurgency, the West might find itself gradually dragged into providing at least some covert support to Kiev or any other Western-leaning government in a similar position. But it would almost certainly remain extremely limited. On April 1, NATO announced what it called "concrete measures" to boost Ukraine's ability to defend itself. In reality, however, these appeared limited to ill-defined "capacity building" measures and boosting the size of NATO's liaison office in the capital. "It's not that the West couldn't stop it - a couple of brigades of NATO troops would almost certainly deter an invasion," says Dmitri Gorenburg, Russia analyst at the Centre for Naval Analyses, a U.S. government-funded body that advises the military. "But that isn't going to happen. When it comes to pushing back Russia's actions in the former Soviet Union, there is no strategy and there is no appetite."

### **AT: Warming**

#### No warming impact—mitigation and adaptation solve

Robert O. Mendelsohn 9, the Edwin Weyerhaeuser Davis Professor, Yale School of Forestry and Environmental Studies, Yale University, June 2009, “Climate Change and Economic Growth,” online: http://www.growthcommission.org/storage/cgdev/documents/gcwp060web.pdf

**The** heart of the **debate about climate change** comes from a number of warnings from scientists and others that **give the impression that human-induced climate change is an immediate threat to society** (IPCC 2007a,b; Stern 2006). Millions of people might be vulnerable to health effects (IPCC 2007b), crop production might fall in the low latitudes (IPCC 2007b), water supplies might dwindle (IPCC 2007b), precipitation might fall in arid regions (IPCC 2007b), extreme events will grow exponentially (Stern 2006), and between 20–30 percent of species will risk extinction (IPCC 2007b). Even worse, there may be catastrophic events such as the melting of Greenland or Antarctic ice sheets causing severe sea level rise, which would inundate hundreds of millions of people (Dasgupta et al. 2009). Proponents argue there is no time to waste. Unless greenhouse gases are cut dramatically today, economic growth and well‐being may be at risk (Stern 2006). **These statements are** largely **alarmist and misleading**. Although climate change is a serious problem that deserves attention, **society’s immediate behavior has an** **extremely low probability** **of leading to** **catastrophic consequences**. The **science and economics** of climate change **is quite clear that emissions over the next few decades will lead to only** **mild consequences**. The **severe impacts** predicted by alarmists **require a century (or two** in the case of Stern 2006) **of no mitigation**. Many of the **predicted impacts assume there will be no or little adaptation**. The net economic impacts from climate change over the next 50 years will be small regardless. Most of **the more severe impacts will take more than a century or even a millennium to unfold and many of these** “**potential” impacts** **will never occur because people will adapt**. **It is not at all apparent that immediate and dramatic policies need to be developed to thwart long‐range climate risks**. What is needed are long‐run balanced responses.

#### Warming inevitable and doesn’t cause extinction

Ridley 14(Matt Ridley is the author of The Rational Optimist, a columnist for the Times (London) and a member of the House of Lords. He spoke at Ideacity in Toronto on June 18., “PCC commissioned models to see if global warming would reach dangerous levels this century. Consensus is ‘no’” , [ <http://tinyurl.com/mgyn8ln> ] , //hss-RJ)

**The debate over climate change is horribly polarized**. **From the way it is conducted, you would think that only two positions are possible: that the whole thing is a hoax or that catastrophe is inevitable. In fact there is room for lots of intermediate positions, including the view I hold, which is that man-made climate change is real but not likely to do much harm, let alone prove to be the greatest crisis facing humankind this century. After more than 25 years reporting and commenting on this topic for various media organizations, and having started out alarmed, that’s where I have ended up. But it is not just I that hold this view. I share it with a very large international organization, sponsored by the United Nations and supported by virtually all the world’s governments: the Intergovernmental Panel on Climate Change (IPCC) itself. The IPCC commissioned four different models** of what might happen to the world economy, society and technology in the 21st century and what each would mean for the climate, given a certain assumption about the atmosphere’s “sensitivity” to carbon dioxide. Three of the models show a moderate, slow and mild warming, the hottest of which leaves the planet just 2 degrees Centigrade warmer than today in 2081-2100. The coolest comes out just 0.8 degrees warmer. **Now two degrees is the threshold at which warming starts to turn dangerous, according to the scientific consensus. That is to say, in three of the four scenarios considered by the IPCC, by the time my children’s children are elderly, the earth will still not have experienced any harmful warming, let alone catastrophe. But what about the fourth scenario?** This is known as RCP8.5, and it produces 3.5 degrees of warming in 2081-2100. Curious to know what assumptions lay behind this model, I decided to look up the original papers describing the creation of this scenario. **Frankly, I was gobsmacked. It is a world that is very, very implausible. For a start, this is a world of “continuously increasing global population” so that there are 12 billion on the planet. This is more than a billion more than the United Nations expects, and flies in the face of the fact that the world population growth rate has been falling for 50 years and is on course to reach zero – i.e., stable population – in around 2070. More people mean more emissions. Second, the world is assumed in the RCP8.5 scenario to be burning an astonishing 10 times as much coal as today,** producing 50% of its primary energy from coal, compared with about 30% today. Indeed, because oil is assumed to have become scarce, a lot of liquid fuel would then be derived from coal. Nuclear and renewable technologies contribute little, because of a “slow pace of innovation” and hence “fossil fuel technologies continue to dominate the primary energy portfolio over the entire time horizon of the RCP8.5 scenario.” Energy efficiency has improved very little. **These are highly unlikely assumptions.** With abundant natural gas displacing coal on a huge scale in the United States today, with the price of solar power plummeting, with nuclear power experiencing a revival, with gigantic methane-hydrate gas resources being discovered on the seabed, with energy efficiency rocketing upwards, and with population growth rates continuing to fall fast in virtually every country in the world, the one thing we can say about RCP8.5 is that it is very, very implausible. **Notice, however, that even so, it is not a world of catastrophic pain. The per capita income of the average human being in 2100 is three times what it is now. Poverty would be history. So it’s hardly Armageddon.** But there’s an even more startling fact. We now have many different studies of climate sensitivity based on observational data and they all converge on the conclusion that it is much lower than assumed by the IPCC in these models. It has to be, otherwise global temperatures would have risen much faster than they have over the past 50 years. As Ross McKitrick noted on this page earlier this week, temperatures have not risen at all now for more than 17 years. With these much more realistic estimates of sensitivity (known as “transient climate response”), even RCP8.5 cannot produce dangerous warming. It manages just 2.1C of warming by 2081-2100. That is to say, even if you pile crazy assumption upon crazy assumption till you have an edifice of vanishingly small probability, you cannot even manage to make climate change cause minor damage in the time of our grandchildren, let alone catastrophe. That’s not me saying this – it’s the IPCC itself. But what strikes me as truly fascinating about these scenarios is that they tell us that globalization, innovation and economic growth are unambiguously good for the environment. At the other end of the scale from RCP8.5 is a much more cheerful scenario called RCP2.6. In this happy world, climate change is not a problem at all in 2100, because carbon dioxide emissions have plummeted thanks to the rapid development of cheap nuclear and solar, plus a surge in energy efficiency. The RCP2.6 world is much, much richer. The average person has an income about 15 times today’s in real terms, so that most people are far richer than Americans are today. And it achieves this by free trade, massive globalization, and lots of investment in new technology. All the things the green movement keeps saying it opposes because they will wreck the planet. The answer to climate change is, and always has been, innovation. To **worry now in 2014 about a very small, highly implausible set of circumstances in 2100 that just might, if climate sensitivity is much higher than the evidence suggests, produce a marginal damage to the world economy, makes no sense**. Think of all the innovation that happened between 1914 and 2000. Do we really think there will be less in this century? As for how to deal with that small risk, well there are several possible options. You could encourage innovation and trade. You could put a modest but growing tax on carbon to nudge innovators in the right direction. You could offer prizes for low-carbon technologies. All of these might make a little sense. But the one thing you should not do is pour public subsidy into supporting old-fashioned existing technologies that produce more carbon dioxide per unit of energy even than coal (bio-energy), or into ones that produce expensive energy (existing solar), or that have very low energy density and so require huge areas of land (wind). The IPCC produced two reports last year. One said that the cost of climate change is likely to be less than 2% of GDP by the end of this century. The other said that the cost of decarbonizing the world economy with renewable energy is likely to be 4% of GDP. Why do something that you know will do more harm than good?

#### Even if warming is real, it doesn't cause extinction

Bjørn Lomborg, an adjunct professor at the Copenhagen Business School, founded and directs the Copenhagen Consensus Center, Project Syndicate, February 14, 2014, "The Davos Apocalypse", http://www.project-syndicate.org/commentary/bj-rn-lomborg-criticizes-global-leaders-for-creating-an-atmosphere-of-panic-about-climate-change

**The apocalyptic bombast is** even more **disturbing**. According to Angel Gurría, Secretary-General of the OECD, “our planet is warming dangerously,” and we need to act now “to avoid catastrophe”; the United Nations climate chief, Christiana Figueres, maintains that global warming means that “the world economy is at risk.”

Former UN Secretary-General **Kofi Annan takes the prize for the most extreme rhetoric,** claiming that not curbing global warming is “**a terrible gamble with the future of the planet and with life itself.”**

**Yet,** the rhetoric is unconvincing. Yes, global warming is real and man-made. But **creating panic** and proposing unrealistic policies **will not help in tackling the problem.**

Both Annan and Gurría cited Typhoon Haiyan in the Philippines last November as evidence of increased climate-change-related damage. Never mind that the latest report by **the** UN Intergovernmental Panel on Climate Change (**IPCC**) found that “**current datasets indicate no significant observed trends in global tropical cyclone frequency** over the past century” **and reported “low confidence” that any changes in hurricanes** in recent (or future) decades **had** anything to do with global warming.

Annan and Gurría also neglected to note that global Accumulated Cyclone Energy, an index for total hurricane activity, is hovering at the lowest values seen since the 1970’s. Indeed, the trend for strong hurricanes around the Philippines has declined since 1951.

Similarly, Gurría tells us that Hurricane **Sandy**, which slammed into New York City in 2012, **is an example of inaction on climate change**, costing the United States “the equivalent of 0.5% of its GDP” each year. In fact, **the US currently is experiencing the longest absence of intense landfall hurricanes since records began** in 1900, while the adjusted damage cost for the US during this period, including Hurricane Sandy, has fallen slightly.

Figueres claims “that current annual losses worldwide due to extreme weather and disasters could be a staggering 12% of annual global GDP.” But the study she cites shows only a possible loss of 1-12% of GDP in the future, and this is estimated not globally but within just eight carefully selected, climate-vulnerable regions or cities. By contrast, according to the IPCC, **“long-term trends in economic disaster losses adjusted for wealth** and population **increases have not been attributed to climate change.”**

On the contrary, **the bulk of peer-reviewed** economic **evidence indicates that, up to around 2050-2070, the net global economic impact of rising temperatures is** likely to be positive**. Although** global **warming will create costs** stemming from more heat-related deaths and water stress**, they will be outweighed by the benefits from many fewer cold-related deaths** and higher agricultural productivity from higher levels of CO2.

Global warming is a long-term problem. Most models indicate that the cost toward the end of the century will be 1-5% of world GDP. This is not a trivial loss; but nor does it put “the world economy at risk.” For comparison, the IPCC expects that by the end of the century, the average person in the developing world will be 1,400-1,800% richer than today.

Such **incorrect statements by leading officials reinforce wasteful policies based on wishful thinking**. Figueres sees “momentum growing toward” climate policies as countries like China “reduce coal use.” In the real world, **China accounts for almost 60% of the global increase in coal consumption** from 2012 to 2014, according to the International Energy Agency. While Figueres lauds China for dramatically increasing its solar-power capacity in 2013, the increase in China’s reliance on coal power was 27 times greater.

**Figueres’s weak grasp on the facts has led her not only to conclude that China is “doing it right**” on climate change, **but also to speculate that China has succeeded** because its “political system avoids some of the legislative hurdles seen in countries including the US.” In other words, **the UN’s top climate official seems to be suggesting that an authoritarian political system is better for the planet.**

The fact remains that **global wind and solar power usage** in 2012 **cut, at most, 275 million tons of CO2, while soaking up $60 billion in subsidies.** With the electricity worth possibly $10 billion, the average cost of cutting a ton of CO2 is about $180. The biggest peer-reviewed estimate of the damage cost of CO2 is about $5 per ton. This means that solar and wind power avoid about $0.03 of climate damage for every dollar spent.

Compare this to smarter technological solutions. In the short run, **the US shale-energy revolution has replaced high-polluting coal with cheaper, cleaner natural gas.** This has cut about 300 million tons of US emissions – more than all the world’s solar and wind power combined – and at the same time has profited Americans by saving them $100 billion in energy costs.

In the long run, **current investment in green research and development will help drive the price of future renewable energy below that of fossil fuels**, enabling a choice that is both environmentally and economically sound. In the meantime, **even dramatic cuts in CO2 emissions will have** very little impact on hurricanes 50-100 years from now. Lifting billions of people out of poverty, however, would not only be intrinsically good; it would also make societies much more resilient in the face of extreme weather, whether caused by global warming or not.

#### Impacts of climate change are exaggerated

Lawson 14 (Nigel- Baron Lawson of Blaby, is a Conservative politician and journalist. He was Chancellor of the Exchequer under Margaret Thatcher, “Global Warming Orthodoxy Is Irrational and Wicked”, The Commentator, 7/30/14, <http://www.thecommentator.com/article/5133/global_warming_orthodoxy_is_irrational_and_wicked>), Shapiro \*\*modified for glang

If I have been critical of **the latest IPCC report**, let me add that it is many respects a significant improvement on its predecessors. It explicitly **concedes**, for example, **that "climate change may be beneficial for moderate climate change"** — and moderate climate change is all that it expects to see for the rest of this century — **and** that "**Estimates for the aggregate economic impact of climate change are relatively small . . . For most economic sectors, the impact of climate change will be small relative to the impacts of other drivers.**" So much for the unique existential planetary threat. **What it conspicuously fails to do,** however**, is to make any assessment of the unequivocally adverse economic impact of the decarbonisation policy it continues to advocate, which** (if implemented) **would be far worse than any adverse impact from global warming.** Even here, however, the new report concedes for the first time that **the most important response to the threat of climate change must be how humankind has always responded, throughout the ages: namely, intelligent adaptation.** Indeed, **the "impacts" section of the latest report is explicitly entitled "Impacts, Adaptation and Vulnerability".** In previous IPCC reports adaptation was scarcely referred to at all, and then only dismissively. This leads directly to the last of my four questions. **To the extent that there is a problem, what should we, calmly and rationally, do** about it? The answer is — or should be — **a no-brainer: adapt.** I mentioned earlier that a resumption of global warming, should it occur (and of course it might) would bring both benefits and costs. The sensible course is clearly to pocket the benefits while seeking to minimise the costs. And that is all the more so since the costs, should they arise, will not be anything new: they will merely be the slight exacerbation of problems that have always afflicted mankind.

#### Asia pollution offsets any US action – warming is inevitable

Knappenberger 12 **–** Mr. Paul Knappenberger is the Assistant Director of the Cato Institute’s Center for the Study of Science. He holds an M.S. degree in Environmental Sciences (1990) from the University of Virginia as well as a B.A. degree in Environmental Sciences (1986) from the same institution.His over 20 years of experience as a climate researcher have included 10 years with the Virginia State Climatology Office and 13 years with New Hope Environmental Services, Inc. June 7th, 2012, "Asian Air Pollution Warms U.S More than Our GHG Emissions (More futility for U.S. EPA)" www.masterresource.org/2012/06/asian-air-pollution-warming/

“The whims of foreign nations, not to mention Mother Nature, can completely offset any climate changes induced by U.S. greenhouse gas emissions reductions…. So, what’s the point of forcing Americans into different energy choices?”¶ **A new study provides evidence that air pollution emanating from Asia will warm the U.S. as much or more than warming from U.S. greenhouse gas (GHG) emissions. The implication? Efforts by the U.S. Environmental Protection Agency (and otherwise) to mitigate anthropogenic climate change is moot.**¶ **If the future temperature rise in the U.S. is subject to the whims of Asian environmental and energy policy, then what sense does it make for Americans to have their energy choices regulated by efforts aimed at mitigating future temperature increases across the country—efforts which will have less of an impact on temperatures than the policies enacted across Asia?**¶ Maybe **the EPA should reconsider the perceived effectiveness of its greenhouse gas emission regulations**—at least when it comes to impacting temperatures across the U.S.¶ New Study¶ **A new study just published in the scientific journal Geophysical Research Letters is authored by a team led by Haiyan Teng from the National Center for Atmospheric Research**, in Boulder, Colorado. The paper is titled “Potential Impacts of Asian Carbon Aerosols on Future US Warming.”¶ Skipping the details of this climate modeling study and cutting to the chase, here is the abstract of the paper:¶ **This study uses an atmosphere-ocean fully coupled climate model to investigate possible remote impacts of Asian carbonaceous aerosols on US climate change.** We took a 21st century mitigation scenario as a reference, and carried out three sets of sensitivity experiments in which the prescribed carbonaceous aerosol concentrations over a selected Asian domain are increased by a factor of two, six, and ten respectively during the period of 2005–2024.¶ **The resulting enhancement of atmospheric solar absorption (only the direct effect of aerosols is included) over Asia induces tropospheric heating anomalies that force large-scale circulation changes which, averaged over the twenty-year period, add as much as an additional 0.4°C warming over the eastern US during winter and over most of the US during summer. Such remote impacts are confirmed by an atmosphere stand-alone experiment with specified heating anomalies over Asia that represent the direct effect of the carbon aerosols.**¶ Usually, when considering **the climate impact** from carbon aerosol emissions (primarily in the form of black carbon, or soot), the effect **is thought to be largely contained to the local or regional scale** because the atmospheric lifetime of these particulates is only on the order of a week (before they are rained out). Since Asia lies on the far side of the Pacific Ocean—a distance which requires about a week for air masses to navigate—we usually aren’t overly concerned about the quality of Asian air or the quantity of junk that they emit into it. By the time it gets here, it has largely been naturally scrubbed clean.¶ **But** in the Teng et al. study, the authors find that, according to their climate model, **the local heating of the atmosphere by the Asian carbon aerosols (which are quite good at absorbing sunlight) can impart changes to the character of the larger-scale atmospheric circulation patterns. And these changes to the broader atmospheric flow produce an effect on the weather patterns in the U.S.** and thus induce a change in the climate here characterized by “0.4°C [surface air temperature] warming on average over the eastern US during winter and over almost the entire US during summer” averaged over the 2005–2024 period.¶ While most of the summer warming doesn’t start to kick in until Asian carbonaceous aerosol emissions are upped in the model to 10 times what they are today, the winter warming over the eastern half of the country is large (several tenths of a °C) even at twice the current rate of Asian emissions.¶ Now let’s revisit just how much “global warming” that stringent U.S. greenhouse gas emissions reductions may avoid averaged across the country.¶ In my Master Resource post “Climate Impacts of Waxman-Markey (the IPCC-based arithmetic of no gain)” I calculated that **a more than 80% reduction of greenhouse gas emissions in the U.S. by the year 2050 would result in a reduction of global temperatures (from where they otherwise would be) of about 0.05°C. Since the U.S. is projected to warm slightly more than the global average (land warms faster than the oceans), a 0.05°C of global temperature reduction probably amounts to about 0.075°C of temperature “savings” averaged across the U.S., by the year 2050.**¶ **Comparing the amount of warming in the U.S. saved by reducing our greenhouse gas emissions by some 80% to the amount of warming added in the U.S. by increases in Asian black carbon (soot) aerosol emissions (at least according to Teng et al.) and there is no clear winner. Which points out the anemic effect that U.S. greenhouse gas reductions will have on the climate of the U.S. and just how easily the whims of foreign nations, not to mention Mother Nature, can completely offset any climate changes induced by our greenhouse gas emissions reductions**.¶ And even if the traditional form of air pollution (e.g., soot) does not increase across Asia (a slim chance of that), greenhouse gases emitted there certainly will. For example, at the current growth rate, **new greenhouse gas emissions from China will completely subsume an 80% reduction in U.S. greenhouse gas emission in just over a decade.** Once again, pointing out that a reduction in domestic greenhouse gases is for naught, at least when it comes to mitigating climate change.¶ So, what’s the point, really, of forcing Americans into different energy choices? As I have repeatedly pointed out, **nothing we do here (when it comes to greenhouse gas emissions) will make any difference either domestically, or globally, when it comes to influences on the climate.** What the powers-that-be behind emissions reduction schemes in the U.S. are hoping for is that 1) it doesn’t hurt us too much, and 2) that China and other large developing nations will follow our lead.¶ Both outcomes seem dubious at time scales that make a difference.

#### No impact – warming promotes plant growth and species can adapt, IPCC exaggerates

Carter et al. 14, Dr. Craig D. Idso is founder and chairman of the Center for the Study of Carbon Dioxide and Global Change. Since 1998, he has been the editor and chief contributor to the online magazine CO2 Science. He is the author of several books, including The Many Benefits of Atmospheric CO2 Enrichment (2011) and CO2 , Global Warming and Coral Reefs (2009). He earned a Ph.D. in geography from Arizona State University (ASU), where he lectured in meteorology and was a faculty researcher in the Office of Climatology. Dr. Sherwood B. Idso is president of the Center for the Study of Carbon Dioxide and Global Change. Previously he was a Research Physicist with the U.S. Department of Agriculture’s Agricultural Research Service at the U.S. Water Conservation Laboratory in Phoenix, Arizona. He is the author or co-author of over 500 scientific publications including the books Carbon Dioxide: Friend or Foe? (1982) and Carbon Dioxide and Global Change: Earth in Transition (1989). He served as an Adjunct Professor in the Departments of Geology, Geography, and Botany and Microbiology at Arizona State University. He earned a Ph.D. in soil science from the University of Minnesota. Dr. Robert M. Carter is a stratigrapher and marine geologist with degrees from the University of Otago (New Zealand) and University of Cambridge (England). He is the author of Climate: The Counter Consensus (2010) and Taxing Air: Facts and Fallacies About Climate Change (2013). Carter's professional service includes terms as head of the Geology Department, James Cook University, chairman of the Earth Sciences Panel of the Australian Research Council, chairman of the national Marine Science and Technologies Committee, and director of the Australian Office of the Ocean Drilling Program. He is currently an Emeritus Fellow of the Institute of Public Affairs (Melbourne). Dr. S. Fred Singer is one of the most distinguished atmospheric physicists in the U.S. He established and served as the first director of the U.S. Weather Satellite Service, now part of the National Oceanic and Atmospheric Administration (NOAA), and earned a U.S. Department of Commerce Gold Medal Award for his technical leadership. He is coauthor, with Dennis T. Avery, of Unstoppable Global Warming Every 1,500 Years (2007, second ed. 2008) and many other books. Dr. Singer served as professor of environmental sciences at the University of Virginia, Charlottesville, VA (1971-94), and is founder and chairman of the nonprofit Science and Environmental Policy Project. He earned a Ph.D. in physics from Princeton University. Barnes, David J. Australian Institute of Marine Science (retired) Australia Botkin, Daniel B. University of Miami University of California Santa Barbara USA Cloyd, Raymond A. Kansas State University USA Crockford, Susan University of Victoria, B.C. Canada Cui, Weihong Chinese Academy of Sciences China DeGroot, Kees Shell International (retired) The Netherlands Dillon, Robert G. Physician USA Dunn, John Dale Physician USA Ellestad, Ole Henrik Research Council of Norway (retired) Norway Goldberg, Fred Swedish Polar Institute Sweden Goldman, Barry Australian Museum Lizard Island Research Station (retired) Australia Hoese, H. Dickson Consulting Marine Biologist USA Jødal, Morten Independent Scientist Norway Khandekar, Madhav Environment Canada (retired) Canada Kutilek, Miroslav Czech Technical University (emeritus) Czech Republic Leavitt, Steven W. University of Arizona Laboratory of Tree-Ring Research USA Maccabee, Howard Doctors for Disaster Preparedness USA Marohasy, Jennifer Central Queensland University Australia Ollier, Cliff University of Western Australia Australia Petch, Jim University of Manchester Trican Manchester Metropolitan University (retired) United Kingdom Reginato, Robert J. Agricultural Research Service U.S. Department of Agriculture USA Reiter, Paul Laboratoire Insectes et Maladies Infectieuses Institut Pasteur France Segalstad, Tom Resource and Environmental Geology University of Oslo Norway Sharp, Gary Independent Consultant Center for Climate/ Ocean Resources Study USA Starck, Walter Independent Marine Biologist Australia Stockwell, David Central Queensland University Australia Taylor, Mitchell Lakehead University Canada Weber, Gerd Independent Meteorologist Germany Wilson, Bastow University of Otago New Zealand Wust, Raphael James Cook University Australia, (“Climate Change Reconsidered II: Biological Impacts”, http://www.nipccreport.org/reports/ccr2b/pdf/Summary-for-Policymakers.pdf, 3/31/2014) Kerwin

5. Impact on Terrestrial Animals IPCC’s Fourth Assessment Report claimed “new evidence suggests that climate-driven extinctions and range retractions are already widespread” and the “projected impacts on biodiversity are significant and of key relevance, since global losses in biodiversity are irreversible (very high confidence)” (IPCC, 2007). However, as shown in the first volume of the Climate Change Reconsidered II series, Physical Science, **there is a growing divide between IPCC’s climate model simulations and real-world observations of global warmth. The species-modeling research IPCC almost exclusively relies on to make these predictions depends on climate models known to exaggerate future global warming and extreme weather events.** Even assuming IPCC climate models were unbiased and reasonably accurate at regional scales, the “climate envelope” models used by IPCC are deeply flawed due to assumptions about the immobility of species that are routinely contradicted by real-world observations. **IPCC also improperly characterizes the adaptive responses** (e.g., range shifts, phenotypic or genetic adaptations) **of many species as supporting their model-based extinction claims, when in reality such adaptive responses provide documentary evidence of species resilience.** Chapter 5 begins with a review and analysis of IPCC-based species extinction claims, highlighting many of the problems inherent in the models on which such claims are based. The model projections are then evaluated against real-world observations of various animal species and their response to what IPCC has called the unprecedented rise in atmospheric CO2 and temperature of the twentieth and twenty-first centuries. **Results of that evaluation reveal that although there likely will be some changes in species population dynamics, few (if any) likely will be driven even close to extinction.** In a number of instances, **real-world data indicate warmer temperatures and higher atmospheric CO2 concentrations will be highly beneficial, favoring a proliferation of species.** IPCC continues to ignore such positive externalities of rising temperature and atmospheric CO2. Key findings from Chapter 5 appear in Figure 8. 6. Impact on Aquatic Life IPCC postulates that human interference in the climate will significantly harm aquatic life by causing temperatures of the world’s water bodies to rise and through the absorption of CO2 from the atmosphere into water, thereby lowering the pH of freshwater and ocean water (a process referred to as “acidification”). In both scenarios, IPCC projects marine and freshwater species will be negatively impacted and will experience future declines, which, in some instances, may be so severe as to cause species extinctions. In contrast, the material presented in Chapter 6, representing **the findings of hundreds of peerreviewed research analyses, suggests a much better future is in store for Earth’s aquatic life. Many laboratory and field studies demonstrate growth and developmental improvements in response to higher temperatures and reduced water pH levels.** **Other research illustrates the capability of both marine and freshwater species to tolerate and adapt to the rising temperature and pH decline of the planet’s water bodies.** When these observations are considered, the pessimistic projections of IPCC give way to considerable optimism with respect to the future of the planet’s marine life. The key findings of this chapter, which challenge the alarming and negative projections of IPCC, are presented in Figure 10. 7. Impact on Human Health Carbon dioxide **(CO2) is invisible, odorless, nontoxic, and does not seriously affect human health until the CO2 content of the air reaches approximately 15,000 ppm, more than 37 times greater than the current concentration of atmospheric CO2** (Luft et al., 1974). **There is no reason to be concerned about any direct adverse human health consequences of the ongoing rise in the air’s CO2 content now or in the future, as even extreme model projections do not indicate anthropogenic activities will raise the air’s CO2 concentration above 1,000 to 2,000 ppm.** Nevertheless, IPCC contends rising CO2 concentrations are causing several indirect threats to human health, which they project will worsen as the air’s CO2 concentration rises in the future. In a draft Technical Summary of its upcoming report, Working Group II claims, “The health of human populations is sensitive to shifts in weather patterns and other aspects of climate change [very high confidence] and “There is emerging evidence of non-linearities in response (such as greater-thanexpected mortality due to heat waves) as climates become more extreme” (IPCC, 2013b). Research reviewed in CCR-IIb, however, shows IPCC’s view of the impacts of rising temperatures and atmospheric CO2 on human health is simply wrong. **Numerous peer-reviewed studies demonstrate a warmer planet is beneficial to humanity, as warmer temperatures in all parts of the world lead to decreases in temperature-related mortality.** The key findings of this chapter are presented in Figure 11. The **medical literature shows warmer temperatures and a smaller difference between daily high and low temperatures, as occurred during the twentieth and early twenty-first centuries, reduce mortality rates due to cardiovascular and respiratory disease and stroke occurrence. Similarly, the research is quite clear that climate has exerted only a minimal influence on recent trends in vector-borne diseases** such as malaria, dengue fever, and tick-borne diseases. Other factors, many of them related to economic and technological setbacks or progress and not to weather, are far more important in determining the transmission and prevalence of such diseases. Finally, and perhaps surprisingly, IPCC entirely overlooks the positive effects of rising levels of atmospheric CO2 on human health. **Carbon dioxide fertilization has been shown to enhance certain health-promoting substances in plants, such as antioxidants, vitamin C, and fatty acids, and promote the growth of plants such as St. John’s wort used for the treatment of a variety of illnesses. In this way, global warming portends great health benefits for humans.** IPCC makes no mention of these benefits.

## AT: Racism

CX: Is the neg the status quo?

### 1AR TL

#### Non-unique—way too many racist laws now—police will find a way to sustain mass incarceration regardless

McCray ’15 (Rebecca McCray, “Why Gun Control Isn’t at the Heart of the Black Lives Matter Movement,” Takepart, Sep 23 2015//FT)

Without that, Haviland-Eduah and Sinyangwe fear, black communities will unfairly bear the brunt of stricter gun laws. The idea wasn’t created in a vacuum: Going back well over a century, vagrancy and anti-loitering laws were selectively enforced against blacks, and more recently, police practices such as stop-and-frisk, in which an officer stops and pats down a pedestrian suspected of possessing contraband such as a firearm, have been shown to be highly racialized. Though ostensibly aimed at getting guns off the streets, guns were found in only 0.1 percent of 532,000 stop-and-frisk stops made in New York City in 2012, according to the New York Civil Liberties Union. Ninety percent of those stopped were black or Latino, even though whites were more likely to be found packing heat, according to research by Jeffrey Fagan at Columbia University Law School.

#### Case outweighs—a) black people getting shot, which we reduce, is far worse than a little more stop and frisk—it’s an *irreversible harm* b) case solves the impact—we change violent gun culture, which in turn means police shootings, inner city violence, etc is less likely

#### Turn—status quo gun policies empower racial profiling by creating a class of “dangerous people” that police are to look out for who cannot have guns – that justifies a paradigm of selective enforcement that *causes their disad* – aff is a shift away – also squo anti-gun control rhetoric is *even more racist*

Bovy ’15 (Bovy, Phoebe Maltz, “It’s Time to Ban Guns. Yes, All of Them,” The New Republic, December 10, 2015//FT)

Progressives who might have been able to brush off accusations of anti-rural-white classism may have a tougher time confronting arguments about the disparate impact gun control policies can have on marginalized communities. These, however, are criticisms of certain tentative, insufficient gun control measures—the ones that would leave small-town white families with legally-acquired guns well enough alone, allowing them to shoot themselves or one another and to let their guns enter the general population. Ban Guns, meanwhile, is not discriminatory in this way. It’s not about dividing society into ‘good’ and ‘bad’ gun owners. It’s about placing gun ownership itself in the ‘bad’ category. It’s worth adding that the anti-gun position is ultimately about police not carrying guns, either. That could never happen, right? Well, certainly not if we keep on insisting on its impossibility. Ask yourself this: Is the pro-gun side concerned with how it comes across? More to the point: Does the fact that someone opposes gun control demonstrate that they’re culturally sensitive to the concerns of small-town whites, as well as deeply committed to fighting police brutality against blacks nationwide? I’m going to go with no and no on these. (The NRA exists!) On the pro-gun-control side of things, there’s far too much timidity. What’s needed to stop all gun violence is a vocal ban guns contingent. Getting bogged down in discussions of what’s feasible keeps what needs to happen—no more guns—from entering the realm of possibility. Public opinion needs to shift. The no-guns stance needs to be an identifiable place on the spectrum, embraced unapologetically, if it’s to be reckoned with.

#### You miss the point—the first step to resolve this is understanding that armed white people are dangerous too—only a universal ban solves, and background checks are much worse. Also, the alt will be co-opted—anti-gun control rhetoric is linked to NRA racism—won’t be perceived as a stance against incarceration

#### Turn—gun possession is the excuse for police shootings—reducing handgun use empirically reduces police shootings

Stockman ’15 (Farah, a writer for the Globe’s editorial board and writes a weekly bylined column. She graduated Magna Cum Laude from Harvard College and lived in Kenya and Tanzania, writing as a freelancer for the New York Times, National Public Radio and the Christian Science Monitor. She served as the Globe’s chief foreign policy reporter in Washington, D.C., for seven years. Stockman has won numerous awards, including the Scripps Howard Foundation national journalism award, “My friend is dead. Why isn’t gun control part of the Black Lives Matter platform?” *Boston Globe*, yay MA pride!, 9/16/15) PO

But it feels like they’re ignoring the obvious: If there were fewer guns on the street, there would be fewer shootings, including by police. Campaign Zero’s impressive website contains a graph that compares the number of people killed by police in the United States (1,100 in 2014) to the number killed in Germany (six), Australia (six), Britain (two), and Japan (none.) / It fails to mention that the big difference between the United States and those countries is not body cameras, or police training, but gun laws, plain and simple. / Gun laws in Germany are considered some of the strictest in Europe. Private possession of handguns or pistols is permitted only with special authorization. After a horrific massacre, [Australia](http://www.gunpolicy.org/firearms/region/australia) instituted sweeping new restrictions, including prohibitions on carrying firearms in public without “a genuine reason.” (Personal protection is not considered a “genuine reason.”) / There are reportedly only[77 handguns](http://www.theatlantic.com/international/archive/2012/07/a-land-without-guns-how-japan-has-virtually-eliminated-shooting-deaths/260189/)in civilian possession in the entire nation of Japan. / And in London, police officers don’t even carry guns, because the likelihood that they will need one is almost nil. / The idea that we can compare ourselves to places like that — and be more like them, with just a tweak here or there in our police training — is a fallacy. Can we improve the situation? Sure. But can we end police shootings altogether without addressing underlying issues of gun violence in this country? I don’t think so. / Black Lives Matter activist Deray McKesson, who is involved in Campaign Zero, sees racism as the main underlying issue. “Their primary excuse/justification [for the shootings] is an expansive ‘fear’ of black skin,” he tweeted when I asked him about it. To be sure, racism plays a role. But plenty of white people are getting shot by cops, as data on the Campaign Zero website reveals. / And a racist police officer who isn’t carrying a gun (like those in Britian) and officers who can’t claim that they thought you were carrying a gun (like those in most of the rest of the world) don’t pull the same kind of shenanigans that we’ve seen here in the United States. / The fact that so many people have guns — and use them against police officers — is the main reason (or excuse) that police officers give to explain why they took a life. It’s a reason that so few are punished for doing so. / There are, of course, good reasons to avoid the gun control debate. If you think gun control is impossible, why waste time on it? / But that’s not why Campaign Zero opted not to include it in the platform. Instead, the campaign claims that gun control “contributes to police violence in many cases.” / “At least 30 people were killed in 2014 after police engaged them for possessing an illegal firearm. Forty-percent of these people were black,” the website states. “More research needs to be done to determine whether gun restrictions (i.e., criminalizing guns and those who carry illegal guns) will reduce or increase police killings — particularly of black people.” / That’s missing the forest because of the trees. / The climate of fear — both real and imagined — created by our concealed-weapon culture takes its toll on black people far beyond the realm of policing. According to the Centers for Disease Control and Prevention, 11,208 people died in firearm-related homicides in 2013. Of them, 6,442 were black. Two-hundred-eighty-one people died from stray bullets or accidental discharges that year. Forty-three of them were black. / For every life cut short by a stray bullet, there are countless lives that are circumscribed in immeasurable ways: kids who aren’t allowed to play outdoors; mothers who give up jobs on streets they deem risky; students who drop out of school rather than run the gantlet of guns. / Although homicides have actually fallen from their peak in 1993, gun violence still takes an enormous toll on America — black America, in particular. Nobody suffers more than black people, who are twice as likely to die from gunfire as whites. (It used to be three times as likely, so there is some progress.) / But this is still perhaps the greatest disparity of all in America: Some kids grow up in fear — not just of the police, but of stray bullets — while other kids grow up with the luxury of never having to worry about getting shot. / That’s why 78 percent of blacks support tougher gun laws, compared to less than half of whites.

#### That means the disad misses the point – violence is not just white on black violence but the influx of guns into urban cities that have created a culture of fear and disproportionally affects blacks—that means the case outweighs and they have no terminal uniqueness

#### The neg is paternalist – black people want gun control, and the DA is just a conservative tactic

Gordon 13

Gun Control Debate Amongst African-Americans Involves Complicated History The Huffington Post | By Claire Gordon Email Posted: 03/18/2013 9:45 am EDT

In recent weeks, the country's gun debate has taken a racial turn. **The latest ad from the N**ational **R**ifle **A**ssociation urges people not to trust the government to protect them, with **references** to **segregation and the KKK**. In January, controversial rock star Ted Nugent compared gun owners to Rosa Parks. Recently, **conservative political activist** Star Parker **released** her own **ad equating gun control with Jim Crow**, while the president of the NRA argued that the origins of gun control were racist. **It's** a **striking** trend, particularly **since** the **black leadership has traditionally led the charge for gun control. The National Urban League is a member of The Coalition to Stop Gun Violence, and few organizations have put as much legal muscle behind the** gun control **fight as the NAACP. African-Americans are also less than half as likely as whites to own a gun, and they're far more likely to prioritize gun control over gun rights**.

### --- AT: Spade

#### 1] Doesn’t say *modern* prisons are slavery, just that they were horrible just after abolition

#### 2] We outweigh—a) reversibility: you can’t undo extinction, which means it’s impossible to combat racism b) severity: imprisonment sucks but black people getting shot is even worse c) magnitude—kills everyone in the world in and out of the US

### --- Overcrowding

#### Overcrowding

Horwitz 15

Sari Horwitz, WASHINGTON POST Wednesday, October 7, 2015, 1:08 AM <http://www.philly.com/philly/news/20151007_Justice_Department_about_to_free_6_000_prisoners.html#2ivW8ybd11v9dvPv.99>

WASHINGTON - **The Justice Department is set to release about 6,000 inmates early from prison** - the largest one-time release of federal prisoners - **in an effort to reduce overcrowding and provide relief** **to** drug offenders who received **harsh sentences** over the last three decades, according to U.S. officials.

### --- Warming Turns Racism

#### Allowing warming to continue perpetuates racist inequalities

Hoerner 8**—**Former director of Research at the Center for a Sustainable Economy, Director of Tax Policy at the Center for Global Change at the University of Maryland College Park, and editor of Natural Resources Tax Review. He has done research on environmental economics and policy on behalf of the governments of Canada, France, Germany, the Netherlands, Switzerland, and the United States. Andrew received his B.A. in Economics from Cornell University and a J.D. from Case Western Reserve School of Law—AND—Nia Robins—former inaugural Climate Justice Corps Fellow in 2003, director of Environmental Justice and Climate Change Initiative (J. Andrew, “A Climate of Change African Americans, Global Warming, and a Just Climate Policy for the U.S.” July 2008, http://www.ejcc.org/climateofchange.pdf)

Everywhere we turn, the issues and impacts of climate change confront us. One of the most serious environmental threats facing the world today, climate change has moved from the minds of scientists and offices of environmentalists to the mainstream. Though the media is dominated by images of polar bears, melting glaciers, flooded lands, and arid desserts, there is a human face to this story as well. **Climate change** is not only an issue of the environment; it **is** also **an issue of justice and human rights, one that dangerously intersects** race and class. All over the world **people of color, Indigenous Peoples and low-income communities bear** disproportionate burdens **from climate change** itself, from ill-designed policies to prevent it, and from side effects of the energy systems that cause it. A Climate of Change explores the impacts of climate change on African Americans, from health to economics to community, and considers what policies would most harm or benefit African Americans—and the nation as a whole. African Americans are thirteen percent of the U.S. population and on average emit nearly twenty percent less greenhouse gases than non-Hispanic whites per capita. **Though** far **less responsible for climate change, African Americans are significantly more vulnerable to its effects** than non- Hispanic whites. **Health, housing, economic well-being, culture, and social stability are harmed from** such manifestations of climate change as **storms, floods, and climate** variability. African **Americans are also more vulnerable to higher energy bills, unemployment, recessions caused by** global **energy** price **shocks**, and a greater economic burden from military operations designed to protect the flow of oil to the U.S. Climate Justice: The Time Is Now Ultimately, accomplishing climate justice will require that new alliances are forged and traditional movements are transformed. An effective policy to address the challenges of global warming cannot be crafted until race and equity are part of the discussion from the outset and an integral part of the solution. This report finds that: Global warming amplifies nearly all existing inequalities. Under global warming, injustices that are already unsustainable become catastrophic. Thus it is essential to recognize that all justice is climate justice and that the struggle for racial and economic justice is an unavoidable part of the fight to halt global warming. **Sound global warming policy is also** economic and **racial justice policy**.Successfully adopting a **sound global warming policy will** do as much to **strengthen the economies of low-income** communities and communities of color as any other currently plausible stride toward economic justice. Climate policies that best serve African Americans also best serve a just and strong United States. This paper shows that policies well-designed to benefit African Americans also provide the most benefit to all people in the U.S. Climate policies that best serve African Americans and other disproportionately affected communities also best serve global economic and environmental justice. D**omestic reductions** in global warming pollution and support for such reductions in developing nations financed by polluter-pays principles **provide the greatest benefit to African Americans**, **the peoples of Africa, and people across the Global South**. A distinctive African American voice is critical for climate justice. Currently, legislation is being drafted, proposed, and considered without any significant input from the communities most affected. Special interests are represented by powerful lobbies, while traditional environmentalists often fail to engage people of color, Indigenous Peoples, and low-income communities until after the political playing field has been defined and limited to conventional environmental goals. A strong focus on equity is essential to the success of the environmental cause, but equity issues cannot be adequately addressed by isolating the voices of communities that are disproportionately impacted. Engagement in climate change policy must be moved from the White House and the halls of Congress to social circles, classrooms, kitchens, and congregations. The time is now for those disproportionately affected to assume leadership in the climate change debate, to speak truth to power, and to assert rights to social, environmental and economic justice. Taken together, these actions affirm a vital truth that will bring communities together: Climate Justice is Common Justice. African Americans and Vulnerability In this report, it is shown that African Americans are disproportionately affected by climate change. African Americans Are at Greater Risk from Climate Change and Global Warming Co-Pollutants **• The six states with the highest African American population are** all in the Atlantic hurricane zone, and are **expected to experience more intense storms resembling Katrina** and Rita in the future. • **Global warming is expected to increase** the frequency and intensity of **heat waves** or extreme heat events. **African Americans suffer heat death at** one hundred fifty to **two** **hundred percent of the rate for** non-Hispanic **whites.**  • Seventy-one percent of African Americans live in counties in violation of federal air pollution standards, as compared to fifty-eight percent of the white population. Seventy-eight percent of African Americans live within thirty miles of a coal-fired power plant, as compared to fifty-six percent of non-Hispanic whites. • Asthma has strong associations with air pollution, and African Americans have a thirty-six percent higher rate of incidents of asthma than whites. Asthma is three times as likely to lead to emergency room visits or deaths for African Americans. • This study finds that a twenty-five percent reduction in greenhouse gases—similar to what passed in California and is proposed in major federal legislation—would reduce infant mortality by at least two percent, asthma by at least sixteen percent, and mortality from particulates by at least 6,000 to 12,000 deaths per year. Other estimates have run as high as 33,000 fewer deaths per year. A disproportionate number of the lives saved by these proposed reductions would be African American. African Americans Are Economically More Vulnerable to Disasters and Illnesses • In 2006, twenty percent of African Americans had no health insurance, including fourteen percent of African American children—nearly twice the rate of non-Hispanic whites. • In the absence of insurance, disasters and illness (which will increase with global warming) could be cushioned by income and accumulated wealth. However, the average income of African American households is fifty-seven percent that of non-Hispanic whites, and median wealth is only one-tenth that of non-Hispanic whites. • Racist stereotypes have been shown to reduce aid donations and impede service delivery to African Americans in the wake of hurricanes, floods, fires and other climate-related disasters as compared to non-Hispanic whites in similar circumstances. **African Americans Are at Greater Risk from Energy Price Shocks**  • African Americans spend thirty percent more of their income on energy than non-Hispanic whites. • Energy price increases have contributed to seventy to eighty percent of recent recessions. The increase in unemployment of African Americans during energy caused recessions is twice that of non-Hispanic whites, costing the community an average of one percent of income every year. • Reducing economic dependence on energy will alleviate the frequency and severity of recessions and the economic disparities they generate. African Americans Pay a Heavy Price and a Disproportionate Share of the Cost of Wars for Oil • Oil company profits in excess of the normal rate of profit for U.S. industries cost the average household $611 in 2006 alone and are still rising. • The total cost of the war in Iraq borne by African Americans will be $29,000 per household if the resulting deficit is financed by tax increases, and $32,000 if the debt is repaid by spending cuts. This is more than three times the median assets of African American households. A Clean Energy Future Creates Far More Jobs for African Americans • Fossil fuel extraction industries employ a far lower proportion of African Americans on average compared to other industries. **Conversely, renewable electricity** generation **employs** three to **five times as many people as** comparable electricity generation **from fossil fuels, a higher proportion of whom are African American.**  **• Switching just one percent** **of** total **electricity** generating capacity per year from conventional **to renewable sources would** **result in** an additional 61,000 to **84,000 jobs for African Americans** by 2030. • A well-designed **comprehensive** **climate plan** achieving emission reductions **comparable to** the **Kyoto** Protocol **would create over 430,000 jobs for African Americans** by 2030, reducing the African American unemployment rate by 1.8 percentage points and raising the average African American income by 3 to 4 percent.

### --- AT Stop and Frisk

#### No prison impact – stop and frisk doesn’t lead to conviction, and lawsuits against the NYPD are solving

Gabbatt 13

Adam, the Guardian, Stop-and-frisk: only 3% of 2.4m stops result in conviction, report finds, http://www.theguardian.com/world/2013/nov/14/stop-and-frisk-new-york-conviction-rate

**New York’s controversial stop-and-frisk policy**, hailed by the city’s mayor and police chief as crucial in fighting crime, **could boast only a 3% conviction rate** between 2009 and 2012, according to a report by the state attorney general released on Thursday. The report by Eric Schneiderman, the first detailed examination of the policy’s arrest and conviction rate, used data from the New York Police Department and the Office of Court Administration to examine approximately 2.4m stops over the three-year period. Those stops resulted in almost 150,000 arrests, but only half of those led to a conviction or a guilty plea. Opponents of the policy, which is viewed by civil rights activists as unfairly targeting African-Americans and Hispanics, seized on the report. But the NYPD attacked it in strong terms, saying that it was meaningless because it did not make a comparison with the outcomes of arrests not carried out under the stop-and-frisk policy. The NYPD practice, known fully as "stop, question and frisk", was ruled unconstitutional earlier this year. The administration of outgoing mayor Michael Bloomberg is appealing against the ruling, although the future of the litigation is in doubt as the newly elected mayor, Bill de Blasio, is an opponent of the policy and has pledged to replace the police chief, Ray Kelly. **Schneiderman's study found that 0.3% of the** 2.4m **stops led to jail sentences of more than 30 days**, and 0.1% led to convictions for violent crime. It also found that **there had been a “sharp uptick” in litigation costs for the city due to** the cost of **defending the NYPD from lawsuits**.

### --- Violence Against Blacks

#### Aff solves violence against blacks and handguns are key

Everitt 10

Ladd Everitt September 16, 2010 Debunking the ‘gun control is racist’ smear http://wagingnonviolence.org/feature/debunking-the-gun-control-is-racist-smear/

There’s a good reason why **few African-Americans** associate guns with “freedom” and “liberty.” **The national U.S. homicide rate is 5.3 per 100,000 people. Among blacks, it’s 20.9 per 100,000. That’s four times the national rate and seven times the white rate.** **In 82% of black-victim homicides** in which **the** fatal **weapon** can be identified, **it’s a gun**. And **73%** of those gun deaths are **inflicted by handguns**.

### Root Cause

#### The root cause of a systematic climate of fear in black communities is widespread gun ownership

Yglesias ’14 [Matthew Yglesias, "We shouldn't talk about Ferguson without talking about guns”, Vox, November 26, 2014]

In this case, the drawback is a straightforward consequence of America's approach to firearms. A well-armed citizenry required an even-better-armed constabulary. Widespread gun ownership creates a systematic climate of fear on the part of the police. The result is a quantity of police shootings that, regardless of the facts of any particular case, is just staggeringly high. Young black men, in particular, are paying the price for America's gun culture. Police killings in international context I've seen [this chart from the Economist](http://www.economist.com/news/united-states/21613272-police-missouri-suburb-demonstrate-how-not-quell-riot-overkill) many times since Brown's death. But I think it's been misinterpreted. Ferguson is in many ways all [about race and racism](http://www.vox.com/2014/11/25/7283327/michael-brown-racist-stereotypes). But this chart reveals an important sense in which it's not about that at all. If you know anything about the UK or Germany, you'll know that these are not even remotely societies who've eliminated the problem of racism. If anything, having struggled with it for less time than the United States, they're even worse than we are. Where they outperform us is in drastically reducing the civilian death toll without ending racism or entrenched poverty or any of the St. Louis area's other problems. A well-armed population leads to police shootings of the unarmed in two ways. One is that police officers have to be constantly vigilant about the possibility that they are facing a gun-wielding suspect. Cleveland police officers [shot and killed a 12 year-old boy](http://www.vox.com/2014/11/24/7275297/tamir-rice-police-shooting)recently, because they not-entirely-unreasonably thought his toy gun was a real gun. The other, more relevant to the Michael Brown case, is that when civilians are well-armed, police have to be as well. That turns every encounter into a potentially lethal situation. The officer always has to worry that if he doesn't reach for and use his own gun, the suspect will. In his [grand jury testimony](http://www.vox.com/2014/11/25/7281165/darren-wilsons-story-side), Wilson pointedly claims that at one point Brown put his right hand "under his shirt into his waistband" — i.e., made a motion that could be plausibly construed as reaching for a gun. No guns, no shootings The big reason British cops don't shoot civilians is that cops in the United Kingdom don't have guns. If a special situation requiring firearms arises, the call is put out for a [specially trained firearms unit](http://www.pfoa.co.uk/326/uk-firearms-units). But an unarmed teenager shoplifting blunts doesn't make the cut, so unarmed teens don't get shot by British cops. It was genuinely striking as an American to witness the heavy police presence in Cardiff this September around the NATO summit. The relatively small city was positively flooded with cops. Unarmed cops. Cops who walked around town chatting with locals and keeping an eye on things. Armed police are such a curiosity that I heard some middle-aged Welsh ladies asking an officer if any armed units were in town to gawk at (they were, but the officer professed not to know their whereabouts). Radley Balko's excellent book, [The Rise of the Warrior Cop](http://www.amazon.com/Rise-Warrior-Cop-Militarization-Americas/dp/1610394577), offers plenty of examples of overly militarized policing. But American cops don't carry weapons because they're bloodthirsty or insane. The basic reason American police departments are so much better-armed than their British counterparts is that Americans civilians are much better armed. There is about [one gun per person](http://www.vox.com/cards/gun-violence-facts/guns-per-capita-america-us) in the United States, and the police legitimately need to be able to wield more force than the citizens they are policing. In America there are lots of guns, so the cops need lots of guns. Consequently, people get shot.

#### If racial profiling occurs, only gun bans solve the impact – takes away the tools to inflict violence against black America.

Yglesias ’14 [Matthew Yglesias, "We shouldn't talk about Ferguson without talking about guns”, Vox, November 26, 2014]

Freedom isn't free, and a somewhat higher rate of police-involved killings could simply be the price we pay for strong gun rights. It's the interaction with race, however, that makes this so problematic. The cost of American gun ownership isn't borne evenly across the country. Black people — specifically young black men — are suffering disproportionately from both [gun homicide](http://www.vox.com/cards/gun-violence-facts/guns-international-comparison-us-homicide) (which, yes, is [more common](http://www.vox.com/cards/gun-violence-facts/gun-homicide-effect-increase) where guns are widespread — it's true that a large share of crime guns are already illegal, but the [legal circulation of large quantities of small weapons](http://www.samefacts.com/2012/12/everything-else/take-home-lessons-from-sandy-hook/#comments) makes it much easier to obtain one illegally) and police shootings. To be clear about something, since it seems very important to a lot of people who email and tweet at me, this is not some kind of crazy cosmic coincidence. It is genuinely true that men murder at a higher rate than women, that young people murder at a higher rate than old ones, and that black people murder at a higher rate than white ones. That a pall of suspicion falls on young black men is, in part, a statistical inference. But this statistical inference gets young black men killed for encounters with the police that would lead to a reprimand or a citation for a white one. And that's a national scandal. It is a form of wholly unjustified collective punishment inflicted on an African-American community that, just like the white community, consists overwhelmingly of non-murderers. A legacy of bias And of course there's much more going on than simple statistical inference. Study after study shows widespread low-level bias against African-Americans. Medical doctors are less likely to give [black patients adequate pain medication](http://articles.chicagotribune.com/2013-07-05/lifestyle/sns-rt-us-minorities-painkiller-20130705_1_opioids-black-patients-pain). Participants in shooting simulations are less likely to [correctly identify black civilians](http://onlinelibrary.wiley.com/doi/10.1111/spc3.12099/abstract). Black children are[perceived as older](http://www.apa.org/news/press/releases/2014/03/black-boys-older.aspx) than they really are. White people are likely to [attribute superhuman powers to black people](http://www.vox.com/2014/11/25/7283327/michael-brown-racist-stereotypes). Law student memos are [judged more harshly](http://www.vox.com/2014/4/21/5637068/reviewers-will-find-more-spelling-errors-in-your-writing-if-they)when the reader believes the author was black. This is all done not by Ku Klux Klan members, but by random samples of the population. Very normal people who would loudly insist, if asked, that they are not racist and whose friends — the white ones at least — would surely stick up for them. And that's what makes it so problematic. A police force filled with perfectly average, normal, everyday Americans is going to deal systematically [more harshly with black suspects](http://www.vox.com/2014/8/28/6051971/police-implicit-bias-michael-brown-ferguson-missouri). America's culture of widespread gun ownership and strong gun rights is devastating to black America. African-Americans suffer disproportionately from gun crime, and then suffer all over again from disproportionate police killings. It's no coincidence that if public policy were made by black Americans or their elected representatives, [gun ownership rules would be radically different](http://thehill.com/blogs/blog-briefing-room/news/309881-cbc-asks-obama-to-target-help-for-communities-in-need). But it isn't. Policy is made by mostly white elected officials responding to a mostly white electorate, in which gun rights enthusiasts are the people who care most about the issue. Among the general public and the political mainstream, gun regulation tends to arise in the context of mass shootings. These rare events are politically convenient due to their high salience and the thought that small changes to the rules could cut down on these outlier events. But mass shootings are a [tiny fraction of all gun homicides in America](http://www.vox.com/cards/gun-violence-facts/mass-shootings-rare-united-states). Small, [narrowly tailored legislation](http://www.washingtonpost.com/blogs/wonkblog/wp/2012/12/18/a-better-target-for-gun-control/) to address them would do little about the big problems in American crime control policy and nothing at all about the plague of systematically biased police shootings. But there's no political support in America for drastic disarming of the civilian population. People like owning guns, there's a deep cultural tradition of gun ownership, violent crime is not a big problem for most people, and [murder rates are falling](http://www.vox.com/cards/gun-violence-facts/gun-homicide-decline-crime-drop). That's another way of saying the white majority and its children don't need to worry much about this problem. But the fact that heavily armed cops are disproportionately likely to kill young black men is a national scandal. Gun ownership is the huge, obvious difference between the United States and countries with drastically lower rates of police killing and nobody is talking about it. That's very unlikely to change any time soon. But it ought to.

### Impact Quantifier

#### Weapons convictions is low compared to deaths [need better card]

(AWR HAWKINS, “All Talk: Fewer Gun Crime Prosecutions Under Obama than George W. Bush,” Breitbart, 27 Oct 2015//FT)

Yet TRAC Reports shows that prosecutions for gun violations actually began a decline in 2013. In fact, prosecutions in 2013 were lower than 2012. Gun crime prosecutions were even lower in 2014 and actually hit an all-time low for the Obama administration in 2015. For example, “during fiscal year (FY) 2014 the Justice Department said the government obtained 20.3 weapons convictions for every one million people in the United States… [and that dropped to] 19.1 weapons convictions for one million people in the United States during FY 2015.”

This number includes all weapons – not just hand guns – also includes all races –

## AT: Black Churches

### 1AR

#### 1] Aff solves—attacks on black churches can’t be violent if no handguns

#### 2] Aff outweighs—radical potential is impossible when gun violence calls into question the church’s members’ survival—that’s Debrabander

#### 3] Turn—handguns used to intimidate black communities

Peniel ’15 (Joseph Peniel, Reporter for Newsweek, “Guns Have Been the Most Dramatic Weapon Used Against African-Americans, but Not the Most Effective,” Newsweek, 6/23, [http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african- americans-not-most-346101](http://www.newsweek.com/guns-have-been-most-dramatic-weapon-used-against-african-%20americans-not-most-346101))

African-American veterans returned from World War I with a renewed militancy that helped ignite a New Negro Movement that promoted black political self-determination. New Negroes flocked to Marcus Garvey’s Universal Negro Improvement Association, creating businesses, publishing newspapers and preaching a gospel of racial unity whose cultural arm would flower in the Harlem Renaissance. But whites’ anti-black violence, often backed by guns, was never far away. Racial segregation in public accommodations and the disenfranchisement of black voters was backed by both public policy and popular consensus. Just as guns, many of them—including those wielded by black soldiers—helped to end slavery and win the Civil War, it would take thousands of guns—this time wielded by white supremacists—to enable white Southerners to win the peace. The modern civil rights era unfolded against this backdrop, where whites used guns and threats of violent reprisals to ensure a brutally unjust racial order. The movement’s nonviolent face, personified by Dr. Martin Luther King Jr.’s dream of a “beloved community,” hid a long history of armed self-determination within the black community. Malcolm X’s scathing broadsides against white violence included open advocacy for armed self-defense so that blacks could achieve liberation “by any means necessary,” as he often said in speeches during the early 1960s. While most African-Americans avoided taking up arms, some did, including Robert F. Williams, a North Carolina NAACP activist and author of Negroes With Guns (1962); the Deacons for Defense and Justice; and the Black Panthers. Both Williams and the Deacons offered armed protection against racist terror for nonviolent civil rights activists in the South. Members of the Student Non-Violent Coordinating Committee (or SNCC, pronounced “snick) encountered an older generation of Southern blacks who never left their rural homes without carrying a pistol or shotgun for protection. The Black Panthers for a time went further, shifting from a self-defensive posture into an open advocacy of “revolutionary violence” before being pummeled into submission by the FBI and local authorities through state-sanctioned violence. Yet the symbolism of black men and women confronting police brutality and racial violence armed with guns and law books resonates today. Post-civil-rights America has seen an explosion of guns and gun violence that has disproportionately hurt the African-American community. The flood of guns in racially segregated and impoverished black neighborhoods has produced catastrophic trauma in inner cities. Black homicide rates dwarf their white counterparts, with most victims killed by African-Americans, the pro-gun control Violence Policy Center reports. Yet too often the easy access to guns, coupled with the racial segregation, high unemployment, failing schools and mass incarceration that leads to such carnage, is ignored by politicians in favor of a facile condemnation of “black-on-black crime” (in contrast to white-on-white crime, which is rarely spoken of) and the decline of the black family. The black community’s relationship with guns remains fraught and ambivalent, with one-third of African-Americans owning guns, compared with just over half of whites. Blacks favor stricter gun control laws, perhaps due to a deeper understanding that “stand your ground” laws have, as in the George Zimmerman case, made it more likely for white-on-black homicides to be considered justified. The brutal deaths in Charleston are part of long history of American violence against black communities. Guns have been the most dramatic weapon used against blacks but perhaps not the most effective. The deeper violence has been in the generational neglect, demonization and stigma that American society has attached to blackness nationally. One hundred and fifty years after Juneteenth delivered the good news of freedom to blacks on the outskirts of Texas, too many African-Americans reside in another country: a world marked by poverty, racial segregation, poor schools and easy access to guns. The racial impact of America’s gun culture affects the black community on multiple levels, often unforgivingly. State-sanctioned violence, as practiced by law enforcement, targets blacks with a vengeance for crimes both real and imagined, as we have witnessed in meticulous detail since Ferguson. Armed vigilantes have also played a role, from the racial terror of the Klan to the shooting in Charleston. Perhaps most depressing is the black gun violence by young people who have been abandoned by mainstream society to join gangs, engage in turf wars and debase themselves through acts of killing that further dehumanize their very existence. The hard truth about race, gun violence and divisions in America is that the very acts of racial violence being decried in Charleston are connected to a long and continuous history of racial and economic oppression. It’s one rooted in an intimate relationship—between racial slavery and capitalism, Jim Crow and the criminal justice system, and racial terror and white power—that has always been backed by guns.

## AT: Longarms

### 1AR

#### 1] Not intrinsic – logical policymaker could ban both

#### 2] Case outweighs—Dixon and Lafollette are comprehensive studies that take into account substitution effect and still go aff

#### 3] No shift to long guns

Dixon ’93 (Nicholas, associate professor of philosophy at Alma College, “Why We Should Ban Handguns In The United States,” Saint Louis University Law Review, 1993)

Another reason to doubt that long guns would be used in great numbers to replace handguns in robberies, assaults, and homicides is that long guns are obviously much more difficult to conceal. A potential mugger roaming the streets wielding a long gun will cause everyone in sight to flee, and is likely to be quickly arrested when alarmed people call the police. Similarly, a bank robber carrying a long gun will be immediately detected by security guards, alarm systems will be triggered, and the chances of a successful robbery greatly diminished. Handguns are obviously much more convenient for the commission of such crimes. Kates and Benenson point out that most homicides occur in the home, where concealability is "irrelevant." 95 However, concealability would seem to be an important factor even in the home. Since the victim may well be unaware that the killer is carrying a concealed weapon, the "surprise factor" which is peculiar to handguns can still apply even in the home. In contrast, people can hardly be unaware that the person they are with is carrying a shotgun or rifle. Moreover, in any argument or domestic quarrel, regardless of whether the potential victim knows that the assaulter is carrying a handgun, the ease of pulling out the gun and shooting makes such arguments more likely to spill over into murder. In contrast, by the time the assaulter has gone into another room to retrieve their long gun and loaded it, the potential victim has crucial seconds in which to escape. Another reason that the concealability of handguns is not a good reason for a handgun-only ban is proposed by Hardy and Kates in their discussion of the impact of handgun control on robberies. They point out that "[t]he difference between a long gun and a handgun is ten minutes and a hacksaw."' Even robberies, then, would not be diminished by a handgun ban. However, this contention runs directly counter to the evidence collected by the Bureau of Alcohol, Tobacco and Firearms' Project Identification. Seventy-one percent, or 7,538, of the handguns submitted for tracing, had a barrel length of 3 inches or less. Sixty-one percent, or 6,476, had a caliber of .32 or less. Since both of these factors relate to the size of the weapon, these figures indicate that concealability is an overriding factor in selecting a handgun for use in crime. 7 Sawed-off shotguns will be much longer and much bulkier than any of these short and small-caliber handguns, especially "Saturday Night Specials," which combine a caliber of .32 or less with a barrel length of three inches or less, comprised 44% of all the weapons successfully traced, and fit into the palm of an average sized hand. We may conclude, then, that because of the difficulty of concealment, neither long guns nor sawed-off versions of the same are likely to be used in great numbers to replace handguns in the commission of crimes. The difficulty of concealment factor will outweigh the greater lethalness of long gun shots. Consequently, a ban on handguns will indeed result in a decrease in firearms-related homicide and other violent crimes. Since firearms are the most lethal weapons, and they were used in 64.1% of homicides in the United States in 1990,98 such a ban is, therefore, likely to result in a reduction in the overall murder rate.'

#### 4] Kates is just speculative—no predictive empirics about the effect of the aff in the US

#### 5] Handguns are key—they’re used way more than other guns.

Robyn Thomas 8 [exec director LCAV], “Regulating Guns in America”, Legal Community Against Violence, February 2008,

Handguns are a particular focus of regulatory efforts – up to and including total bans – because of their frequent use in violent crime as compared to other firearms. From 1993 to 2001, an average of 737,360 violent crimes were committed with handguns in the U.S. each year, making handguns seven times more likely to be used to commit violent crimes than other firearms.4 Although handguns make up only 34% of firearms, approximately 80% of firearm homicides are committed with a handgun.5 Women face an especially high risk of handgun violence.6 In 2005, 72% of female homicide victims were killed with a handgun.7 Suicides committed with handguns are also a major area of concern. A California study found that in the first year after the purchase of a handgun, suicide was the leading cause of death among handgun purchasers.8 In the first week after the purchase of a handgun, the firearm suicide rate among purchasers was 57 times as high as the adjusted rate in the general population.9 Several studies have documented the risks associated with guns in the home. Adults living in homes with guns are at a significantly higher risk of homicide and suicide than adults in homes without guns.10 The risk of unintentional firearm injury is also substantially higher for adults living in homes with guns,11 with handguns in the home posing a particular threat.12 For every incident in which a gun in the home is used in self- defense or in another legally-justified shooting, there are 22 unintentional or criminal shootings or suicide attempts using a gun kept at home.13

#### Particularly indicative since we have less hand guns – indicates they are more lethal b/c concealment and convenience

## AT: Econ

### 1AR

#### 1. Handguns not key—all your ev is about guns in general, not handguns—long guns solve most of the impact

#### 2. Turn—gun violence comparatively costs the US econ more

Popken 10/2 (Ben, “America's Gun Business, By the Numbers,” NBC News, 10/2/15 http://www.cnbc.com/2015/10/02/americas-gun-business-by-the-numbers.htm) PO

$42.9 billion Estimated overall economic impact of the firearms and ammo industry in the U.S. ([NSSF](http://nssf.org/impact)) / 20,968,273 Number of firearm background checks initiated in 2014. Because a background check is required before a gun is bought, this numbers gives insight into gun sale trends. However, just because a background check was initiated doesn't mean a gun was purchased. ([FBI](https://www.fbi.gov/about-us/cjis/nics/reports/nics_firearm_checks_-_month_year.pdf)) / 9,138,123 Number of firearm background checks in 1999. ([FBI](https://www.fbi.gov/about-us/cjis/nics/reports/nics_firearm_checks_-_month_year.pdf)) / 5 Average number of firearms owned by a gun owner once you toss out the top 3% of gun owners who own more than 25 guns. ([Journal of Injury Prevention](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2610545/)) / 31% Percentage of American households with guns. ([NORC](http://www.norc.org/PDFs/GSS%20Reports/GSS_Trends%20in%20Gun%20Ownership_US_1972-2014.pdf)) / 29%, 43.7%, 55.9% Adults living in a household with firearms: percentage by suburbs, other urban areas, and rural counties, respectively. ([NORC](http://www.norc.org/PDFs/GSS%20Reports/GSS_Trends%20in%20Gun%20Ownership_US_1972-2014.pdf)) / 60% Percentage of Americans who say personal safety/protection is the reason they own a gun. ([Gallup](http://www.gallup.com/poll/165605/personal-safety-top-reason-americans-own-guns-today.aspx)) / $229 billion The cost of fatal and non-fatal gun violence to the U.S. in 2012, representing 1.4% of total gross domestic product. ([Mother Jones](http://www.motherjones.com/politics/2015/04/true-cost-of-gun-violence-in-america))

#### 3. No chance of war from economic decline—best and most recent data

Daniel W. Drezner ’12, Professor, The Fletcher School of Law and Diplomacy, Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked,” http://www.globaleconomicgovernance.org/wp-content/uploads/IR-Colloquium-MT12-Week-5\_The-Irony-of-Global-Economic-Governance.pdf

The final outcome addresses a dog that hasn’t barked: the effect of the Great Recession on cross-border conflict and violence. During the initial stages of the crisis, multiple analysts asserted that the financial crisis would lead states to increase their use of force as a tool for staying in power.37 Whether through greater internal repression, diversionary wars, arms races, or a ratcheting up of great power conflict, there were genuine concerns that the global economic downturn would lead to an increase in conflict. Violence in the Middle East, border disputes in the South China Sea, and even the disruptions of the Occupy movement fuel impressions of surge in global public disorder. The aggregate data suggests otherwise, however. The Institute for Economics and Peace has constructed a “Global Peace Index” annually since 2007. A key conclusion they draw from the 2012 report is that “The average level of peacefulness in 2012 is approximately the same as it was in 2007.”38 Interstate violence in particular has declined since the start of the financial crisis – as have military expenditures in most sampled countries. Other studies confirm that the Great Recession has not triggered any increase in violent conflict; the secular decline in violence that started with the end of the Cold War has not been reversed.39 Rogers Brubaker concludes, “the crisis has not to date generated the surge in protectionist nationalism or ethnic exclusion that might have been expected.”40 None of these data suggest that the global economy is operating swimmingly. Growth remains unbalanced and fragile, and has clearly slowed in 2012. Transnational capital flows remain depressed compared to pre-crisis levels, primarily due to a drying up of cross-border interbank lending in Europe. Currency volatility remains an ongoing concern. Compared to the aftermath of other postwar recessions, growth in output, investment, and employment in the developed world have all lagged behind. But the Great Recession is not like other postwar recessions in either scope or kind; expecting a standard “V”-shaped recovery was unreasonable. One financial analyst characterized the post-2008 global economy as in a state of “contained depression.”41 The key word is “contained,” however. Given the severity, reach and depth of the 2008 financial crisis, the proper comparison is with Great Depression. And by that standard, the outcome variables look impressive. As Carmen Reinhart and Kenneth Rogoff concluded in This Time is Different: “that its macroeconomic outcome has been only the most severe global recession since World War II – and not even worse – must be regarded as fortunate.”42

#### 4. Gun industries resilient—government agencies are key customers

Plumer ’12 (Brad, Washington Post, “How the U.S. gun industry became so lucrative,” 12/19, <https://www.washingtonpost.com/news/wonk/wp/2012/12/19/seven-facts-about-the-u-s-gun-industry/>) OS

While private citizens still make up the bulk of gun purchases, the industry is also heavily reliant on sales to government agencies. Back in the late 1990s, the gun industry was actually facing decline, as the economy was humming along and crime fears were subsiding. Then Sept. 11 hit. Thanks to new counter-terrorism measures, law enforcement agencies and the U.S. military started buying up weapons at a faster pace, reviving the industry. Today, government agencies make up 40 percent of industry revenues:

## AT: Illegal Markets

### 1AR

#### 1] Turn—cross apply LaFollette 2k—aff decreases the black market because it drives up prices by reducing supply—that’s simple economics—also reduces homicides overall because teenagers, who commit most violence crimes, can’t afford guns

#### 2] Illegal markets can’t persist and lack of gun ban obscures enforcement.

Braga 12 Braga, Anthony A., et al. "Interpreting the empirical evidence on illegal gun market dynamics." Journal of Urban Health 89.5 (2012): 779-793.

It is important to note that the empirical data used in this article to refute wrongheaded claims by Kleck and Wang on illegal gun market dynamics have some noteworthy limitations. As described earlier, ATF firearms trace data may not be representative of firearms possessed and used by criminals; furthermore, a substantial proportion of recovered firearms cannot be traced to the first known retail sale.7 ATF gun trafficking investigation data only provide information on gun trafficking investigations that come to the attention of ATF agents.12 These gun trafficking enterprises may not be representative of broader gun trafficking pathways at work in the USA. The trace- and investigation-based information that results is biased to an unknown degree by these factors. These concerns certainly apply to the trace and investigation data used in the empirical analyses presented here. However, as suggested by the National Research Council’s Committee to Improve Research Information and Data on Firearms, these data can provide policy relevant insights on illegal gun market dynamics when conclusions are based on careful analyses that are coupled with clear acknowledgments of the data limitations.23 The research presented here identifies three important points about how criminals acquire guns. First, they rely on a diverse **set of illegal pathways, including corrupt licensed dealers, unlicensed sellers, straw purchasers, residential theft, and theft from licensed dealers, common carriers, and firearm manufacturers. Organized, largescale trafficking exists, but it is not predominant.** Where they occur, **high-volume gun trafficking operations are attractive targets for regulatory and enforcement efforts**. (Certain trafficking routes, such as those supplying firearms to large criminal organizations in Mexico, may behave differently.) Second, new **guns are disproportionately recovered in crime, suggesting an important role for close-to-retail diversion of guns in arming criminals. Third, given the diversity of channels through which criminals can acquire guns, law enforcement agencies need to consider a variety of gun trafficking indicators that go well beyond whether a crime gun is recovered with an obliterated serial number or not.** Our findings refute three key arguments against the proposition that interventions aimed at curtailing illegal transfers of firearms could be used to good effect in reducing gun availability to criminals and gun crime. **The case for a supply-side approach to gun violence is well supported by the empirical evidence on illegal gun market dynamics.** To date, however, there is little empirical evidence that such an approach reduces rates of gun crime. We believe that it is time to develop experimental evidence on whether interventions designed to limit illegal transfers of firearms can reduce gun violence.

#### *3] Case solves—lax restrictions make trafficking easier*

*Mehalko ’12 (Laura, Executive Comments Editor for the Boston College International & Comparative Law Review, “The International Implications of U.S. Gun Control Policy”, Boston College International & Comparative Law Review, Vol. 35, 2012)*

*Arms trafficking is unlikely to decrease without increased cooperation between the United States and Mexico.13 Although regulations restricting trafficking are likely constitutional, cultural factors in the southwestern states make domestic reform, tightening restrictions on firearms sales, unlikely.14 One commentator suggested that lax regulations in Texas and Arizona “reflect both the libertarian traditions of the West and the anxious vigilance of firearms enthusiasts toward their Second Amendment rights.”15 State gun control laws impose few restrictions on firearms sales, making prosecution of those accused of transacting with Mexican cartels more difficult.16 Further, state laws creating an individual right to bear arms now find support in the federal Second Amendment policy that was incorporated to the states in McDonald v. City of Chicago.17*

## AT: Federalism

### 1AR

#### 1] No impact uniqueness—most countries that would have modeled federalism already have

#### 2] Empirically denied—marriage rights were traditionally a states’ rights issue so the SCOTUS decision should’ve triggered the impact—also non-uniques it

#### 3] No immediate impact—just because it’s modeled to solve war doesn’t mean there’s a war to solve

#### 4] Turn—federalism sacrifices environmental protectiveness

Buzbee, Professor of Law at Emory, 2006 (William. “CONTEXTUAL ENVIRONMENTAL FEDERALISM” http://www.law.nyu.edu/journals/envtllaw/issues/vol14/1/v14\_n1\_buzbee.pdf)

This argument is often rooted in what is sometimes referred to as the “matching principle” or “subsidiarity” conceptions. Under this logic, matching the level of government most commensurate with the regulatory ill is the best way to ensure the correct amount and form of regulation. Typically, people espousing this position emphasize the geographical dimensions of an environmental ill to argue that it counsels for a primary state or local regulatory role.5 As I explored in a recent work on the implications of the “regulatory commons,” and will discuss more fully below, this literature in the environmental area makes fundamental conceptual errors in failing to consider the several dimensions in which regulatory challenges and effective regulatory responses exist.6 Others see the federal government, at least since 1970 and the explosion of federal environmental legislation, as the most innovative and primary protector of the environment and are wary of federal surrender of that role.7 As with arguments for state and local primacy, proponents of federal environmental leadership also utilize theoretical political-economy arguments in support of a substantial, often primary, federal role. They note several reasons to be wary of significant or primary state environmental standard setting. They point to race-to-the-bottom risks, where jurisdictions competing for business and jobs and eager to keep taxes low will be tempted to sacrifice softer environmental concerns for the more immediate, tangible, monetary benefits of under-regulation.8 Even where two competing states share a preference for a clean and safe environment, interstate competition may lead both to sacrifice environmental protectiveness.Professor Engel’s work provides a powerful empirical and theoretical refutation of Dean Revesz’s contention that although interjurisdictional competition for business may sacrifice environmental protection, it will nevertheless enhance social welfare.9 Critics of any reflexive allocation of regulatory power to states also point out that many environmental risks far outstrip any state or local government’s reach.10 This problem of scale links to the argument that economies of scale inherent in gathering environmental data and deriving effective pollution control techniques justify the current level of federal involvement.11 Furthermore, it has been argued that since larger units of government are less susceptible to regulatory surrender, the interest group dynamics and skewed resources at play in environmental regulation require federal level control.12 Some make the modest and less controversial point that if one desires a cleaner environment, then one may prefer a leading federal role because that is the level of government where environmental advocates have been most successful over the last thirty years of the environmental movement.13

#### Warming causes extinction

Mazo ’10 (Jeffrey Mazo – PhD in Paleoclimatology from UCLA, Managing Editor, Survival and Research Fellow for Environmental Security and Science Policy at the International Institute for Strategic Studies in London, 3-2010, “Climate Conflict: How global warming threatens security and what to do about it,” pg. 122)

The best estimates for global warming to the end of the century range from 2.5-4.~C above pre-industrial levels, depending on the scenario. Even in the best-case scenario, the low end of the likely range is 1.goC, and in the worst 'business as usual' projections, which actual emissions have been matching, the range of likely warming runs from 3.1--7.1°C. Even keeping emissions at constant 2000 levels (which have already been exceeded), global temperature would still be expected to reach 1.2°C (O'9""1.5°C)above pre-industrial levels by the end of the century." Without early and severe reductions in emissions, the effects of climate change in the second half of the twenty-first century are likely to be catastrophic for the stability and security of countries in the developing world - not to mention the associated human tragedy. Climate change could even undermine the strength and stability of emerging and advanced economies, beyond the knock-on effects on security of widespread state failure and collapse in developing countries.' And although they have been condemned as melodramatic and alarmist, many informed observers believe that unmitigated climate change beyond the end of the century could pose an existential threat to civilisation." What is certain is that there is no precedent in human experience for such rapid change or such climatic conditions, and even in the best case adaptation to these extremes would mean profound social, cultural and political changes.

#### 5] Doesn’t solve conflict

John Warren McGarry and Brendan O'Leary. The political regulation of national and ethnic conflict. (Parliamentary Affairs v47.n1 (Jan 1994): pp94(22))

Unfortunately, federalism has a poor track record as a conflict-regulating device in multi-national and polyethnic states, even where it allows a degree of minority self-government. Democratic federations have broken…Federal failures have occurred because minorities continue to be outnumbered at the federal level of government. The resulting frustrations, combined with an already defined boundary and the significant institutional resources flowing from control of their own province or state, provide considerable incentives to attempt secession, which in turn can invite harsh responses from the rest of the federation…genuine democratic federalism is clearly an attractive way to regulate national conflict, with obvious moral advantages over pure control. The argument that it should be condemned because it leads to secession and civil war can be sustained only in three circumstances: first, if without federalism there would be no secessionist bid and, second, if it can be shown that national or ethnic conflict can be justly and consensually managed by alternative democratic means; and third, if the secessionist unit is likely to exercise hegemonic control (or worse) of its indigenous minorities.

#### 6] Turn—federalism leads to ineffective responses to disease outbreaks, terrorist attacks, and natural disasters

Griffin, Professor in Constitutional Law, Tulane School, 2007   
[Stephen M., St. Johns Journal of Legal Commentary Spring- “Symposium: Federalism Past, Federalism Future: A Constitutional Law Symposium: Stop Federalism Before It Kills Again: Reflections On Hurricane Katrina]

And so it is still the case that when natural disasters strike, the divided power of the federal structure presents a coordination problem. The kind of coordination that had to occur to avoid the Katrina disaster requires long-term planning before the event. The American constitutional system makes taking intergovernmental action difficult and complex. The process of coordinating governments can take years. In many ways, the government was just at the beginning of that process at the time of Katrina, [n48](http://www.lexisnexis.com.proxy.lib.umich.edu/us/lnacademic/frame.do?tokenKey=rsh-20.623515.1689064805&target=results_DocumentContent&reloadEntirePage=true&rand=1215280977638&returnToKey=20_T4099813154&parent=docview" \l "n48#n48) although we are now four years distant from the terrorist attacks of September 11, 2001 that set the latest round of disaster coordination in motion. Suppose, however, that we don't have the luxury of taking the time to satisfy every official with a veto. This is the key point of tension between what contemporary governance demands and what the Constitution permits. The kind of limited change that occurred in 1927 can take us only so far. What Hurricane Katrina showed was that even after decades of experience with natural disasters, the federal and state governments were still uncoordinated and unprepared. The reasons they were unprepared go to the heart of the constitutional order. Unless we learn some lessons, Katrina will happen again. It may be a massive earthquake, an influenza pandemic, a terrorist attack, or even another hurricane, but the same ill-coordinated response will indeed happen again unless some attention is paid to the constitutional and institutional lessons of Katrina. We need to "stop federalism" before it kills again. That is, we need to stop our customary thinking about what federalism requires in order to prevent another horrific loss of life and property.

## AT: Court Legitimacy

#### 1] Non-unique—the Court overturned a case to legalize same-sex marriage—that’s pretty damn controversial

Ball ’15 (Molly, staff writer covering U.S. politics at The Atlantic, “How Gay Marriage Became a Constitutional Right,” The Atlantic, 7/1/15, http://www.theatlantic.com/politics/archive/2015/07/gay-marriage-supreme-court-politics-activism/397052/) PO

On May 18, 1970, Jack Baker and Michael McConnell walked into a courthouse in Minneapolis, paid $10, and applied for a marriage license. The county clerk, Gerald Nelson, refused to give it to them. Obviously, he told them, marriage was for people of the opposite sex; it was silly to think otherwise. / Baker, a law student, didn’t agree. He and McConnell, a librarian, had met at a Halloween party in Oklahoma in 1966, shortly after Baker was pushed out of the Air Force for his sexuality. From the beginning, the men were committed to one another. In 1967, Baker proposed that they move in together. McConnell replied that he wanted to get married—really, legally married. The idea struck even Baker as odd at first, but he promised to find a way and decided to go to law school to figure it out. / When the clerk rejected Baker and McConnell’s application, they sued in state court. Nothing in the Minnesota marriage statute, Baker noted, mentioned gender. And even if it did, he argued, limiting marriage to opposite-sex couples would constitute unconstitutional discrimination on the basis of sex, violating both the due process and equal protection clauses of the Fourteenth Amendment. He likened the situation to that of interracial marriage, which the Supreme Court had found unconstitutional in 1967, in Loving v. Virginia. / The trial court dismissed Baker’s claim. The Minnesota Supreme Court upheld that dismissal, in an opinion that cited the dictionary definition of marriage and contended, “The institution of marriage as a union of man and woman...is as old as the book of Genesis.” Finally, in 1972, Baker appealed to the U.S. Supreme Court. It refused to hear the case, rejecting it with a single sentence: “The appeal is dismissed for want of a substantial federal question.” The idea that people of the same sex might have a constitutional right to get married, the dismissal suggested, was too absurd even to consider. / Last week, the high court reversed itself and declared that gays could marry nationwide. “Their hope is not to be condemned to live in loneliness, excluded from one of civilization’s oldest institutions,” Justice Anthony Kennedy wrote in his sweeping decision in Obergefell v. Hodges. “They ask for equal dignity in the eyes of the law. The Constitution grants them that right.”

#### That also empirically denies your impact—there are tons of controversial overrulings that could damage court legitimacy—also takes out your uniqueness ev because that’s from *before* this ruling

#### 2] Your impact ev is from ’89 and is about rulings for *military* decisions—that isn’t the aff—also assumes a hyper-tense context i.e. the Cold War so US legitimacy mattered a lot more and nuke war was more likely

#### 3] Impact d—tons of other things affect US international standing like action on climate change or gun violence—no reason why courts are *uniquely* key

#### 4] Non-unique—no public confidence in courts

AP ’15 (Associated press, 5 things to know about American public opinion on the Supreme Court's health care case, Fox Business, June 24, 2015, <http://www.foxbusiness.com/markets/2015/06/24/5-things-to-know-about-american-public-opinion-on-supreme-court-health-care/>)

­Just 1 in 10 are very or extremely confident, while another 4 in 10 are moderately confident. Six in 10 opponents of the law, compared with 44 percent of the law's supporters, are not confident in the court's ability to rule objectively. A CBS News-New York Times poll released Monday found that three-quarters of Americans think that the justices sometimes let their personal or political views influence their decisions rather than deciding solely based on their legal analysis.

#### No Trust in Supreme Court

Agiesta 15 (Jennifer Agiesta, CNN polling director, Poll: Trust Lacking in Supreme Court over handling of key issues, CNN Politics, June 8, 2015, <http://www.cnn.com/2015/06/08/politics/cnn-poll-supreme-court-health-care-same-sex-marriage/>)

With major Supreme Court decisions on health care and same-sex marriage expected this month, many lack trust in the Supreme Court's handling of those two issues, according to a new CNN/ORC poll. Yet most approve of the way the court is handling its job generally. A majority, 52%, say they approve of the way the court is handling its job, while 41% disapprove. That's an improvement from an even 48% to 48% split two years ago. Still, when Americans are asked how much they trust the court on a range of issues it will be considering this term or the next, the worst ratings come on health care and same-sex marriage. Only about half say they have at least a moderate amount of trust in the court on health care (50%) or same-sex marriage (49%). There is more faith in the Supreme Court on other key issues on the docket, with most saying they trust the court at least a moderate amount on freedom of speech (69%), voting rights (65%) and the death penalty (60%).

# K Blocks

## TL

### ROB

#### The counter role of the ballot is to vote for the best policy option—1] key to political activism

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

#### 2] Ground—allows critical impacts but also other arguments like politics DAs—means more diverse debates—

#### 3] Intersectionality DA—you exclude discussion of other marginalized groups—means we can’t truly understand how oppression works i.e. how racism and patriarchy interact

#### 3] Framework prereq—only way we can determine whether it’s okay to oppress one to stop the oppression of others—key to evaluating your impacts

#### 4] Util explains why oppression is bad—it’s because it causes suffering—prerequisite to your framing

### FW

#### Framework—let me weigh the aff against the K—a) strat skew—aff is bound by T to defend a policy action and doesn’t know the 1NC, making the aff vulnerable to an unlimited number of neg strats b) moots the 1AC—that kills valuable discussion of its impact and solvency claims. Alt is also “fiated” – weighing the aff makes more sense and solves all their offense

### Extinction Outweighs

#### Death controls the internal link to every moral value and impact

Jonas ’96 (Hans, Former Alvin Johnson Prof. Phil. – New School for Social Research and Former Eric Voegelin Visiting Prof. – U. Munich, “Morality and Mortality: A Search for the Good After Auschwitz”, p. 111-112)

With this look ahead at an ethics for the future, we are touching at the same time upon the question of the future of freedom. The unavoidable discussion of this question seems to give rise to misunderstandings. My dire prognosis that not only our material standard of living but also our democratic freedoms would fall victim to the growing pressure of a worldwide ecological crisis, until finally there would remain only some form of tyranny that would try to save the situation, has led to the accusation that I am defending dictatorship as a solution to our problems. I shall ignore here what is a confusion between warning and recommendation. But I have indeed said that such a **tyranny would still be better than total ruin**; thus, I have ethically accepted it as an alternative. I must now defend this standpoint, which I continue to support, before the court that I myself have created with the main argument of this essay. For **are we not contradicting ourselves in prizing physical survival at the price of freedom**? Did we not say that freedom was the condition of our capacity for responsibility—and that this capacity was a reason for the survival of humankind?; **By tolerating tyranny as an alternative to physical annihilation are we not violating the principle we established: that the How of existence must not take precedence over its Why?** **Yet we can make a terrible concession to the primacy of physical survival in** the conviction that the ontological capacity for freedom, inseparable as it is from man's being, cannot really be extinguished, **only temporarily banished from the public realm**. **This conviction can be supported by experience we are all familiar with. We have seen that even in the most totalitarian societies the urge for freedom on the part of some individuals cannot be extinguished, and this renews our faith in human beings.** Given this faith, we have reason to hope that, as long as there are human beings who survive**,** the image of God will continue to exist along with them and will wait in concealment for its new hour. **With that hope**—which in this particular case takes precedence over fear—**it** **is** permissible**, for the sake of physical survival, to accept if need be a temporary absence of freedom in the external affairs of humanity**. This is, I want to emphasize, a worst-case scenario, and it is the foremost task of responsibility at this particular moment in world history to prevent it from happening. This is in fact one of the noblest of duties (and at the same time one concerning self-preservation), on the part of the imperative of responsibility to avert future coercion that would lead to lack of freedom by acting freely in the present, thus preserving as much as possible the ability of future generations to assume responsibility. But more than that is involved. **At stake is the preservation of Earth's entire miracle of creation, of which our human** existence **is a part and before which [hu]man reverently bows,** even without philosophical "grounding." Here too faith may precede and reasonfollow; it is faith that longs for this preservation of the Earth (fides quaerens intellectum), and reason comes as best it can to faith's aid with arguments, not knowing or even asking how much depends on its success or failure in determining what action to take. With this confession of faith we come to the end of our essay on ontology.

#### Magnitude first—we must calculate future descendants

Matheny ’7 (Jason, Department of Health Policy and Management, Bloomberg School of Public Health, Johns Hopkins University, “Reducing the Risk of Human Extinction,” Risk Analysis, Vol 27, No 5)

**Even if extinction events are improbable, the expected values of countermeasures could be large, as they include the value of all future lives. This introduces a discontinuity between** the CEA of **extinction and nonextinction risks.** **Even though the risk to any existing individual of dying in a car crash is much greater than the risk of dying in an asteroid impact, asteroids pose a much greater risk to the existence of future generations** (we are not likely to crash all our cars at once) (Chapman, 2004). **The “death-toll” of an extinction-level asteroid impact is the population of Earth, plus all the descendents of that population who would otherwise have existed if not for the impact. There is thus a discontinuity between risks that threaten 99% of humanity and those that threaten 100%.**

### State Heuristic

#### Debating about government policies is a valuable heuristic — we can learn about the state without *being* it. Their radical framework eliminates the potential for political agency and oversimplifies complex, contingent relationships. Instead of rejecting government policies *in general*, we should analyze particular policies.

Zanotti 13 — Laura Zanotti, Associate Professor of Political Science at Virginia Tech, holds a Ph.D. in International Relations from Florida International University, 2013 (“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World,” *Alternatives: Global, Local, Political*, Volume 38, Issue 4, November, Available Online to Subscribing Institutions via SAGE Publications Online, p. 299-300)

In this article, I have argued that, notwithstanding their critical stance, scholars who use governmentality as a descriptive tool remain rooted in substantialist ontologies that see power and subjects as standing in a relation of externality. They also downplay processes of coconstitution and the importance of indeterminacy and ambiguity as the very space where political agency can thrive. In this [end page 299] way, they drastically limit the possibility for imagining political agency outside the liberal straightjacket. They represent international liberal biopolitical and governmental power as a homogenous and totalizing formation whose scripts effectively oppress ‘‘subjects,’’ that are in turn imagined as free ‘‘by nature.’’ Transformations of power modalities through multifarious tactics of hybridization and redescriptions are not considered as options. The complexity of politics is reduced to homogenizing and/or romanticizing narratives and political engagements are reduced to total heroic rejections or to revolutionary moments. / By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. / Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’’84

#### Use government as a heuristic—totalizing rejectionsn fail

Zanotti 13 — Laura Zanotti, Associate Professor of Political Science at Virginia Tech, holds a Ph.D. in International Relations from Florida International University, 2013 (“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World,” *Alternatives: Global, Local, Political*, Volume 38, Issue 4, November, Available Online to Subscribing Institutions via SAGE Publications Online, p. 289-290)

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. Options for resistance to governmental scripts are not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted **within** the scripts of **government**al rationalities and at the same time exceed and transform them. This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Governmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’ romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’’83 Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever cards are available and would require intense processes of reflexivity on the consequences of political choices. To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So my position leads not to apathy but to hyper- and pessimistic activism.’’84

#### Governmentality should be used as a heuristic, not as a description—arguing that the state is a bad actor in all circumstances overgeneralizes and stifles political agency. Instead of totalizing rejection, we should assess the practical effects of particular policies in specific contexts

Zanotti 13 — Laura Zanotti, Associate Professor of Political Science at Virginia Tech, holds a Ph.D. in International Relations from Florida International University, 2013 (“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World,” *Alternatives: Global, Local, Political*, Volume 38, Issue 4, November, Available Online to Subscribing Institutions via SAGE Publications Online, p. 289-290)

In this article, I explore the ontological and epistemological assumptions of different versions of governmentality theory and highlight the importance of these assumptions for the conceptualization of political agency. I argue that some versions of governmentality remain trapped in the substantialist ontology they are set to criticize and that this ontological position stifles the possibility of reimagining political agency beyond liberal constraints. / While there are important variations in the way international relations scholars use governmentality theory, for the purpose of my argument I identify two broad trajectories.2 One body of scholarship uses governmentality as a heuristic tool to explore modalities of local and international government and to assess their effects in the contexts where they are deployed; the other adopts this notion as a descriptive tool to theorize the globally oppressive features of international liberalism. Scholars who use governmentality as a heuristic tool tend to conduct inquiries based upon analyses of practices of government and resistance. These scholars rely on ethnographic inquiries, emphasizes the multifarious ways government works in practice (to include its oppressive trajectories) and the ways uneven interactions of governmental strategies and resistance are contingently enacted. As examples, Didier Bigo, building upon Pierre Bourdieu, has encouraged a research methodology that privileges a relational approach and focuses on practice;3 William Walters has advocated considering governmentality as a research program rather than as a ‘‘depiction of discrete systems of power;’’4 and Michael Merlingen has criticized the downplaying of resistance and the use of ‘‘governmentality’’ as interchangeable with liberalism.5 Many other scholars have engaged in contextualized analyses of governmental tactics and resistance. Oded Lowenheim has shown how ‘‘responsibilization’’ has become an instrument for governing individual travelers through ‘‘travel warnings’’ as well as for ‘‘developing states’’ through performance indicators;6 Wendy Larner and William Walters have questioned accounts of globalization as an ontological dimension of the present and advocated less substantialized accounts that focus on studying the discourses, processes and practices through which globalization is made as a space and a political economy;7 Ronnie D. Lipschutz and James K. Rowe have looked at how localized practices of resistance may engage and transform power relations;8 and in my own work, I have studied the deployment of disciplinary and governmental tools for reforming governments in peacekeeping operations and how these practices were hijacked and resisted and by their targets. 9 / Scholars who use governmentality as a descriptive tool focus instead on one particular trajectory of global liberalism, that is on the convergence of knowledge and scrutiny of life processes (or biopolitics) and violence and theorize global liberalism as an extremely effective formation, a coherent and powerful Leviathan, where biopolitical tools and violence come together to serve dominant classes or states’ political agendas. As I will show, Giorgio Agamben, Michael Hardt and Antonio Negri, and Sergei Prozorov tend to embrace this position.10 / The distinction between governmentality as a heuristic and governmentality as a descriptive tool is central for debating political agency. I argue that, notwithstanding their critique of liberalism, scholars who use governmentality as a descriptive tool rely on the same ontological assumptions as the liberal order they criticize and do move away from Foucault’s focus on historical practices in order to privilege abstract theorizations. By using governmentality as a description of ‘‘liberalism’’ or ‘‘capitalism’’ instead of as a methodology of inquiry on power’s contingent modalities and technologies, these scholars tend to reify a substantialist ontology that ultimately reinforces a liberal conceptualization of subjects and power as standing in a relation of externality and stifles the possibility of reimagining political agency on different grounds. ‘‘Descriptive governmentality’’ constructs a critique of the liberal international order based upon an ontological framework that presupposes that power and subjects are entities possessing qualities that preexist relations. Power [end page 289] is imagined as a ‘‘mighty totality,’’ and subjects as monads endowed with potentia. As a result, the problematique of political agency is portrayed as a quest for the ‘‘liberation’’ of a subject ontologically gifted with a freedom that power inevitably oppresses. In this way, the conceptualization of political agency remains confined within the liberal struggle of ‘‘freedom’’ and ‘‘oppression.’’ Even researchers who adopt a Foucauldian vocabulary end up falling into what Bigo has identified as ‘‘traps’’ of political science and international relations theorizing, specifically essentialization and ahistoricism.11 / I argue here that in order to reimagine political agency an ontological and epistemological turn is necessary, one that relies upon a relational ontology. Relational ontological positions question adopting abstract stable entities, such as ‘‘structures,’’ ‘‘power,’’ or ‘‘subjects,’’ as explanations for what happens. Instead, they explore how these pillar concepts of the Western political thought came to being, what kind of practices they facilitate, consolidate and result from, what ambiguities and aporias they contain, and how they are transformed.12 Relational ontologies nurture ‘‘modest’’ conceptualizations of political agency and also question the overwhelming stability of ‘‘mighty totalities,’’ such as for instance the international liberal order or the state. In this framework, political action has more to do with playing with the cards that are dealt to us to produce practical effects in specific contexts than with building idealized ‘‘new totalities’’ where perfect conditions might exist. The political ethics that results from non-substantialist ontological positions is one that privileges ‘‘modest’’ engagements and weights political choices with regard to the consequences and distributive effects they may produce in the context where they are made rather than based upon their universal normative aspirations.13

### State Good

#### Engaging the state is productive—that means discussions of fiat are valuable. Statism is inevitable—innovative engagement can redirect power for emancipation.

Martin and Pierce ’13 Deborah G. Martin, Joseph Pierce, “Reconceptualizing Resistance: Residuals of the State and Democratic Radical Pluralism,” Antipode, Vol. 45, Issue 1, pp. 61-79, January 2013, DOI: 10.1111/j.1467-8330.2012.00980.x

The state offers a complex set of power structures against and with which resistance struggles (Holloway 2005; Scott 1988; Tormey 2004). Indeed, Holloway (2005) sees the state as so entrenched in power relations such that any resistance in or through the state is irrevocably bound up in its power logic. We acknowledge state power as always present, but not necessarily as monolithic.2 Despite—or perhaps because of— the power relations inherent in state frameworks, it is in part through laws and state regulations that activists can achieve reworked economic relations such as worker ownership, community banks, or cooperative housing (DeFilippis 2004). Hackworth explicitly acknowledges the possibility of a “neo-Keynesian” resistance which seeks to maintain relatively left-leaning state functions. Ultimately, though, he dismisses the resistive potential of such “neo-Keynesian” efforts, arguing that they have yielded “highly limited” successes (2007:191). We argue, however, that focusing on a state's ordering functions [the “police” component of states; as in Rancière (2004)] may provide a lens for examining how resistance through the state might destabilize or subvert neoliberal hegemony. We articulate the notion of residuals, or mechanisms of the state that can, or have historically, been wielded to mitigate inequalities of capitalism. In order to explore this arena as potentially productive for resistance, we first consider radical democracy as an already-articulated conceptualization of neoliberal resistance (Laclau and Mouffe 1985; Purcell 2008). Radical democracy does not seek to enroll the state in resistance to capital, per se, but recognizes the simultaneous co-presence of a hegemonic (but always changing) state, and anti-hegemonic resistances. Radical Democracy: Responding to Hegemony? The concept of radical democracy provides a framework for articulating where residual state apparatuses stand amidst the myriad layers of state functions, power, and hegemony (cf Laclau and Mouffe 1985; Rancière 2004). We imagine a politics in which the state –whether capitalist or not— is always hegemonic, and thus always produces an outside or excluded that is resistant to the hegemonic order. Radical democracy as initially described by Laclau and Mouffe (1985) offered a theory of resistance—although they did not use that term—to capitalist hegemonies.3 Their goal was to identify a leftist, anti-hegemonic political project that did not rely on unitary categories such as class, in response to the identity politics of the 1970s to 1990s and post-structural theorizing of the absence of any common (structural or cultural) basis for political transformation. The theory of radical democracy posits that any order is an hegemonic order; the post-Marxist socialist project of Laclau and Mouffe seeks to destabilize the hegemonies of capitalism and work towards more democratic articulations that marginalize capital, even as forms of inequality may persist (Laclau and Mouffe 1985). Nonetheless, they can seek more articulations, more opportunities for social protest and struggle over multiple inequalities. Each struggle will produce—or seek to produce—new orders, or hegemonies, but these will be unseated by other struggles; this process describes a democracy not defined solely by a capitalist hegemony. As scholars have increasingly taken neoliberalism as the distinct form of contemporary capitalism in response to which resistance is engaged, they have explored the ways that its intense market logic constricts possibilities for traditional political activism to engage the state: the state is responsive primarily to the logic of facilitating the work of private capital (Brenner and Theodore 2002; Harvey 2005; Mitchell 2003; Peck and Tickell 2002; Purcell 2008). At the same time, however, neoliberalism opens possibilities for resistance because of its internal contradictions (like all hegemonic orders); it simultaneously engages the state to facilitate capital expansion, yet rhetorically rejects the state as an active player in market logics (Leitner, Peck and Sheppard 2007; Peck and Tickell 2002; Purcell 2008). In doing so, the door is opened for alternative projects and resistances. Purcell (2008) takes up the ideals of radical democracy to focus on how it might provide specific means for resistance to neoliberalism. He wants to take the insights of Laclau and Mouffe and apply them to a particular, empirically informed framework for engaged activism that actually interrupts, if not challenges (and mostly not, in his examples), neoliberalism. As a result, Purcell engages specifically with the idea of “chains of equivalence”, which he defines as “entities [which] must simultaneously be both different and the same” (2008:74). Political coalitions and actors with shared or complimentary challenges to neoliberalism—but distinct in character, goals, and identities—form networks of equivalence [Purcell (2008), drawing from Hardt and Negri (2004) as well as Laclau and Mouffe (1985)]. Simply put, networks of equivalence conceptually allow for multiple groups with different specific interests and identities to band together to challenge the hegemony of neoliberal capitalism. The crucial point for Purcell, however, and the key radical pluralist component is that those groups can work together without having to resolve their internal differences; they need only share a common questioning of the neoliberal prioritizing of private capital. They share a struggle, then, for a different hegemony (Laclau and Mouffe 1985; Purcell 2008). In the battle against global finance, for example, activists with different specific interests (agriculture or trade policy or environmental protections) confront the state in the form of police in the streets of Seattle or Cancun (Wainwright 2007); their objections are to the state policies and agreements which support and create frameworks for world trade. In Purcell's (2008) networks of equivalence in Seattle, a similar, yet more spatially circumscribed network of neighborhood community activists, environmental activists, and a Native American tribe work together to challenge the terms of the environmental clean-up of toxins in and around the Duwamish River. Their target is the corporate interests being held responsible for actually funding the clean-up. The agent helping to hold the corporate interests accountable is the Federal Environmental Protection Agency (EPA). Seattle area environmental activists have been able to form a “chain of equivalence” with the EPA in the Duwamish clean-up in part by inserting themselves into an EPA framework that seeks stakeholder input through a participatory planning structure. The shared interests of the EPA and environmental activists are not obvious or easy to negotiate; the EPA, as a bureaucracy with many actors situated within the US federal system, is positioned as a complex institutional agent. But its particular mandate with regard to environmental protection offers a difficult relation to capital, one sometimes allied with non-state actors seeking limits to capital. Purcell's (2008) account of this case is insightful and engaging. We are highly sympathetic to his project of conceptualizing resistance and, by connection, a better, more complete democracy. But we differ over some of the details—essential details—of how best to enact successful resistances. In his case study of the Duwamish River clean up in Seattle, Purcell (2008) cites government policies as the factor enabling community resistance and involvement. His account is historically detailed—and necessarily so, for the complexities of the state have everything to do with the sedimented and sometimes inherently contradictory nature of its policies and procedures. In brief, he points to the EPA, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (also known as “Superfund”), and associated environmental laws as a sort of “environmental Keynesianism” that the federal government enacted in the decade of the 1970s (through 1980) (Purcell 2008:137). For Purcell, the neoliberalisation of these laws is evident in the increasing local devolution of governance authority over particular Superfund sites, including his case of the Duwamish River, resulting in “a proliferation of ad hoc and special purpose entities [that] increasingly carries out the everyday decision-making in Superfund cleanups” (2008:137). At the same time, however, Purcell (2008:138) acknowledges “that such ‘flexibilization’ … tends to create political opportunities that social movements can exploit”. We want to engage the idea that such flexible—or Keynesian—tools of the state are levers that can force the state to act in ways that might be counter to capital and in the service of greater democracy. In particular, we hope for a more complex, and, we expect, more practically productive conceptualization of resistance in relation to the state. While Purcell (2008:38, 183, note 2,2) acknowledges resistive possibilities from engagement with the state, he also notes that “the state is fully imbricated in the project of neoliberalization” (a point also made elsewhere; cf Harvey 2005; Holloway 2005; Mitchell 2003; Smith 1996; Wainwright 2007). We do not disagree with the basic contention that the state regulates and administers a hegemonic political economic order of and for capital. But the state is complex; following the persuasive arguments of Laclau and Mouffe (1985) and the example of the EPA in Purcell (2008), the state ought to be conceptualized like any actor: as multifaceted, with many possible subjectivities in relation to any particular conflict. This complexity offers the possibility that the state can be a tool for resistance, one we explore further in the rest of this paper.

#### Critical academia that doesn’t engage politics makes efficacy impossible – they re-inscribe the existing structure in a constant critique

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### The master’s tools can be used to dismantle the master’s house

James 09

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In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

### Discourse Bad

#### We should defend our plan, not our discourse—

#### Fairness—justifies one word PIKs that steal all our ground—impossible to research adequate offense on all 1AC words

#### Education—there’s insufficient clashing literature over a single word to sustain an evolving debate throughout the year—it’s better to focus on a topic designed for controversial in-depth debate

#### Reciprocity justifies— they should defend every word too or else kicking offcase positions justifies severing representations

#### A focus on representations destroys social change by ignoring political and material constraints

Taft-Kaufman 95 (Jill, Professor of Speech at Central Michigan University, Ph.D. from UC Berkeley. “Other Ways” Southern Comm. Journal, Spring, v. 60, Iss. 3)

The postmodern passwords of “polyvocality,” “Otherness,” and “difference,” unsupported by substantial analysis of the concrete contexts of subjects, creates a solipsistic quagmire. The political sympathies of the new cultural critics, with their ostensible concern for the lack of power experienced by marginalized people, aligns them with the political left. Yet, despite their adversarial posture and talk of opposition, their discourses on intertextuality and inter-referentiality isolate them from and ignore the conditions that have produced leftist politics—conflict, racism, poverty, and injustice. In short, as Clarke (1991) asserts, postmodern emphasis on new subjects conceals the old subjects, those who have limited access to good jobs, food, housing, health care, and transportation, as well as to the media that depict them. Merod (1987) decries this situation as one which leaves no vision, will, or commitment to activism. He notes that academic lip service to the oppositional is underscored by the absence of focused collective or politically active intellectual communities. Provoked by the academic manifestations of this problem Di Leonardo (1990) echoes Merod and laments: Has there ever been a historical era characterized by as little radical analysis or activism and as much radical-chic writing as ours? Maundering on about Otherness: phallocentrism or Eurocentric tropes has become a lazy academic substitute for actual engagement with the detailed histories and contemporary realities of Western racial minorities, white women, or any Third World population. (p. 530) Clarke’s assessment of the postmodern elevation of language to the “sine qua non” of critical discussion is an even stronger indictment against the trend. Clarke examines Lyotard’s (1984) The Postmodern Condition in which Lyotard maintains that virtually all social relations are linguistic, and, therefore, it is through the coercion that threatens speech that we enter the “realm of terror” and society falls apart. To this assertion, Clarke replies: I can think of few more striking indicators of the political and intellectual impoverishment of a view of society that can only recognize the discursive. If the worst terror we can envisage is the threat not to be allowed to speak, we are appallingly ignorant of terror in its elaborate contemporary forms. It may be the intellectual’s conception of terror (what else do we do but speak?), but its projection onto the rest of the world would be calamitous….(pp. 2-27) The realm of the discursive is derived from the requisites for human life, which are in the physical world, rather than in a world of ideas or symbols.(4) Nutrition, shelter, and protection are basic human needs that require collective activity for their fulfillment. Postmodern emphasis on the discursive without an accompanying analysis of how the discursive emerges from material circumstances hides the complex task of envisioning and working towards concrete social goals (Merod, 1987). Although the material conditions that create the situation of marginality escape the purview of the postmodernist, the situation and its consequences are not overlooked by scholars from marginalized groups. Robinson (1990) for example, argues that “the justice that working people deserve is economic, not just textual" (p. 571). Lopez (1992) states that "the starting point for organizing the program content of education or political action must be the present existential, concrete situation" (p. 299). West (1988) asserts that borrowing French post-structuralist discourses about "Otherness" blinds us to realities of American difference going on in front of us (p. 170). Unlike postmodern "textual radicals" who Rabinow (1986) acknowledges are "fuzzy about power and the realities of socioeconomic constraints" (p. 255), most writers from marginalized groups are clear about how discourse interweaves with the concrete circumstances that create lived experience. People whose lives form the material for postmodern counter-hegemonic discourse do not share the optimism over the new recognition of their discursive subjectivities, because such an acknowledgment does not address sufficiently their collective historical and current struggles against racism, sexism, homophobia, and economic injustice. They do not appreciate being told they are living in a world in which there are no more real subjects. Ideas have consequences. Emphasizing the discursive self when a person is hungry and homeless represents both a cultural and humane failure. The need to look beyond texts to the perception and attainment of concrete social goals keeps writers from marginalized groups ever-mindful of the specifics of how power works through political agendas, institutions, agencies, and the budgets that fuel them.

#### Discourse isn’t over-determinative. Critique must be joined with political engagement

Bryant ’12 Levi Bryant, teaches philosophy at Collin College, “RSI, Discursivity, Critique, and Politics,” Larval Subjects, 7/18/2012, http://larvalsubjects.wordpress.com/2012/07/18/rsi-discursivity-critique-and-politics/

If I get worked up about these issues, then this is because I think they’ve created serious lacuna in our political theory and practice. Suppose I focus on norms, for example. Great, I’ve developed a theory of norms and how they contribute to the social fabric. Yet while Kant claims that “ought implies can”, I’m not so sure. You’ve shown that something is unjust or that this would be the reasonable way to proceed. But at the real-material level people are caught in sticky networks that suck them into life in particular ways. They ought, for example, to drive an electric car, but what if it’s not available where they are or what if they can’t afford it? Well they should do whatever they can to get it? But what of their other obligations such as eating, sheltering themselves, taking care of their children, paying their medical bills, etc? It would be so nice if we just had mistaken beliefs or failed to recognize the right norms. Things would be so easy then. But there’s life, there’s the power of things. Sometimes the issues aren’t ones of ideology– and yes, of course, I recognize that ideology is probably involved in making electric cars expensive and hard to obtain, but not for them always –sometimes they’re simply issues of the power of things. And if we treat things as blank screens we’ll have difficulty seeing this and we’ll miss out on other opportunities for engagement. Long ago I used to keep track of my blog. I had a map that showed me where all my visits were coming from about the world. I noticed that the interior portions of the United States were largely dark with no visits and that the coasts and cities had a high volume of traffic. Given that my blog talks about all sorts of things ranging from weather patterns to beavers to mantis shrimps to octopi (I get all these random visits from folks searching for these things), it followed that the absence of traffic from these regions of the country couldn’t be explained in terms of a lack of interest in French and continental philosophy (yes, I recognize that there are also cultural reasons folks from these reasons might shy away from such things). What then was it? I think the answer must be that there’s a lack easy and inexpensive internet access from these portions of the country. Notice also that these regions of the country are also the most conservative regions of the country. Could there be a relation between lack of access and conservatism? I am not suggesting that lack of access is the cause of conservatism and fundamentalism. Clearly there’s a whole history in these regions and an entire set of institutions that exercise a particular inertia. I’m saying that if the only voices you hear are those in your immediate community, how much opportunity is there to think and imagine otherwise? You’re only exposed to the orthodoxy of your community and their sanctions. I am also not saying that if you give people the internet they’ll suddenly become radical leftists. Minimally, however, they’ll have a vector of deterritorialization that allows them to escape the constraints of their local social field. All of this begs the question of who critique is for. If it can’t get to the audience that you want to change, what’s it actually doing? Who’s it addressed to? Sometimes you get the sense that the practice of radical political philosophy and critical theory is a bit like the Underpants Gnomes depicted in South Park: The Underpants Gnomes have a plan for success: collect underwear —>; ? [question mark] —->; profit. This is like our critical theorists: debunk/decipher —>; ? [question mark] —->; revolution! The problem is the question mark. We’re never quite sure what’s supposed to come between collecting the underwear and profit, between debunking and revolution. This suggests an additional form of political engagement. Sometimes the more radical gesture is not to debunk and critique, but to find ways to lay fiber optic cables, roads, plumbing, etc. How, for example, can a people rise up and overturn their fundamentalist dictators if they’re suffering from typhoid and cholera as a result of bad plumbing and waste disposal? How can people overturn capitalism when they have to support families and need places to live and have no alternative? Perhaps, at this point, we need a little less critique and a little more analysis of the things that are keeping people in place, the sticky networks or regimes of attraction. Perhaps we need a little more carpentry. This has real theoretical consequences. For example, we can imagine someone writing about sovereignty, believing they’re making a blow against nationalism by critiquing Schmitt and by discussing Agamben, all the while ignoring media of communication or paths of relation between geographically diverse people as if these things were irrelevant to nationalism occurring. Ever read Anderson on print culture and nationalism? Such a person should. Yet they seem to believe nationalism is merely an incorporeal belief that requires no discussion of material channels or media. They thereby deny themselves of all sorts of modes of intervention, hitching everything on psychology, attachment, and identification. Well done!

### Pragmatism Good

#### Pragmatic experimentation is better than methodological unity—fallabilistically discarding theoretical purity in favor of contingent action solves best

Jones ’8 Owain Jones, “Stepping from the wreckage: Geography, pragmatism and anti-representational theory,” Geoforum 39 (2008) 1600–1612, doi:10.1016/j.geoforum.2007.10.003

Calls to theory and research as creative action seem de rigour in geography. For example, as Hinchcliffe (2007) pleads in Geographies of Nature, rather than offering interpretations of nature, or analytical concepts, the injunction must be to join the doings, to experiment, to engage in the doings of environments, to environ them in better ways (p. 191). It seems we are all pragmatists now – or should be. Note here there is creativity with judgment – ‘better ways’. How are we to pursue better ways without foundational grounds? Whitford (1991, p. 14) points out that to envisage ‘new social or ethical forms’ is to confine the future within the conceptualisations of the present. ‘Progress’ is not about moving towards utopia, it is about moving away from dystopia, as Bauman (1993, p. 224) puts it, ‘what we want is to get away from here. Where we hope to land [ ] is a ‘there’ which we thought of little and knew of even less’. We need a restless, radical incrementalism. As the Johnny Mercer/Harold Arlen song has it; ‘you’ve got to accentuate the positive, eliminate the negative, latch on to the affirmative’. This can be done by modest, fallibilistic, experimentation, with a constant toing and froing between idea and practice (this is Rorty’s summation of Dewey’s work), a constant will to act and to judge the consequences in the settings of the particular. Thrift (2005), with some added ingredients, sets out a similar trajectory. This work [NRT] earns a living from a relational view of reality [and] a constructionism of a particular kind, namely a transcendental empiricism (or pan-experimentalism) in which construction never takes place in general but always in relation to a matter of concern and commitment, a lure to our attention which provides an intensification of feeling (p. 474). In his paper on Wittgenstein, Harrison (2002) turns to the idea of witnessing to begin to build an ethical/political momentum for NRT (see also Thrift, 2004a). This essentially asks, what can be said about – or done with, Wittgenstein’s call for the event to be taken seriously (in and of itself), the call to describe and not to explain, or worse, to abstract or seek meaning elsewhere/prior to the event. Harrison feels that the direction to readers ‘to pay attention to whatever is taking place in front of them’ (Harrison, 2002, p. 500) can be understood as a call to witness, and that to witness is more than just observing and reporting on an event, it can be to share and deeply empathize with pain and suffering – the negative (although it could be applied to joy and love – the positive) and otherness – without fully knowing it. Pause to think how often it is that understandings of and responses to current/historical events are not prompted by explanation or analysis but by witnessing of one kind or another. Witnessing is often expressed as narrative. And here we connect to the long running tension between explanation (representation) and certain forms of narrative. NRT is drawn to towards ethological narratives – a sort of ‘radical ecological empiricism’. Serres, an influential figure in NRT thinking (Bingham and Thrift, 2000), has made narrative a central means of exploring the flowing interconnectedness of life – ‘what better way to describe this fluctuation than with everyday words, concrete experiences – in short, by narrative?’ (Serres 1995, p. 65). There is a strong affinity between narrative, artistic practice and NRT (see Thrift, 2004a) and related approaches such as hybrid geographies (Whatmore, 2002). More generally the developing of linkages between geographical and artistic interests and methods is going on apace in the pursuit of methodologies sensitive to process, performativity and affect. Writers, painters, photographers, performers, and poets are often commenting upon, ‘analysing’ – witnessing the world and their and/or other people’s place in it, but through affective/creative narratives rather than rational/representational registers. They do this by generating new accounts of/in the world which might witness eloquently. They add new accounts to the world (e.g. images, movements, sounds, artefacts) which at the same time reposition current forms of being (e.g. Dion, 2007). Thrift is not the only one who considers that ‘performances’ are often more telling (of the world) and more ethically and politically alive than much social science and academia. Rorty (1991a)/Rorty (1991b) has been at pains to point out that art, particularly in the form of literature, can have much more telling effect on society than centuries of precisely argued metaphysical philosophy and, latterly, realist social science. Witness and narrative are being explored as means of generating new political and ethical languages within poststructuralism and NRT. Barnett (2005) suggests that, at worst, poststructuralist theory can ‘generate [ ] an epistemological and ethico-political impasse for itself’ through the generic device of ‘essentializing the logic of exclusion as the ontological foundation of all modes of subjectivity’ (p. 8). Barnett suggests that a reading of Levinas alongside Derrida can point to ways beyond this impasse by which the other is excluded. The ethical relationship, he suggests is inevitably (and) ‘irreducibly asymmetrical’ (p. 18), and rests on an openness towards the Other in which temporal dimensions of being are critical. Within this temporal being in relationship to other, Barnett sees ‘acknowledgement’ (knowledge which includes recognition of suffering and sympathy and the demands of the other) as a means by which the gulf between self and other can be crossed. Why should we want the world given to us or revealed to us when we can do it (or, at least, bits of it)? Correspondence theories, essentialist, universal truth claims are always going to be claims. Proof is always a kind of rhetoric, and can always be willfully ignored anyway. Secondly who/what is to say that if there are universal, essential truths that they are going to be comfortable for us or even take any notice of us. Relativism means we are freer to build our own world. Of course there are a myriad constraints, but there are a myriad opportunities as well (science can narrate both). And within this there are surely many possible futures some of which will be better and some worse. Our efforts should be geared to the former. If we get grounded on foundations movement is less possible. Conflicts are bound to occur, and conflicts based on fundamentalisms are extremely difficult to resolve and are the most destructive. Radical incrementalism implies working with, yet away from the present, without any great plans as to where we are going. How do we respond then to the present in this kind of relation? If we keep witnessing (engaging with the practices of the world) and folding these accounts back into ongoing practice, who knows where the world goes? Of course there will be explanations, representations, and plans for action, but these are always framed in an openness and an incremental experimentation which relies on re-witnessing or constant witnessing. And how do we judge as we have to in the end? The judgment is in what we choose to witness and the rewitnessing of the consequences of actions taken. Is this working? How do these stories compare? Where/when/how would I like to live? We need not be too sceptical; we can build on the common currencies of pain, suffering, well being, happiness and love. As Louis MacNeice (1988) put it in the poem ‘London Rain’ – ‘We need no metaphysics/To sanction what we do’ (p. 72). We need to engineer new formations (Thrift, 2005) and pragmatism (like NRT) is a philosophy of heterogeneous engineering. According to Peirce, the most fundamental engine of the evolutionary process is not struggle, strife, greed, or competition. Rather it is nurturing love, in which an entity is prepared to sacrifice its own perfection for the sake of the wellbeing of its neighbor (Burch, 2006, p. 1). This is the idea of ‘‘agapeism” – ‘growth comes only from love’ (Peirce (1893), in Menand, 1997, p. 52).

### AT: Unethical

#### Calls for state action act upon an ethics of social responsibility that can’t be reduced to the evils of the state

Staeheli ’12 Lynn A. Staeheli, “THE 2011 ANTIPODE AAG LECTURE Whose Responsibility Is It? Obligation, Citizenship and Social Welfare,” Antipode, published online 7/25/2012, DOI: 10.1111/j.1467-8330.2012.01026.x

Finally, in undertaking such explorations, we should avoid pre-judging the political stance taken by activists. The politics of care is not unified, in the sense of activists understanding care in the same ways. Furthermore, acting on the politics of care often involves conflict and dissent. The activists who tried to force the state to meet its obligations were not interested in consensus; they were fighting for social transformation, but their visions of what transformation entailed differed. Many of them believe they are involved in actions that deepen democracy and justice in the places they live, and they do so by challenging the state. In pursuing politics of care and obligation, many activists also pursue an insurgent politics they hope will unsettle the status quo. In answering the question “whose responsibility is it?”, they hope to disrupt the politics of responsibility talk and force the recognition of a public responsibility. Extending the comments from the activist in Denver, Mama may have told some of the activists to engage in politics, but it is a politics that insists on a public responsibility—and obligation—from which we cannot disengage.

### Generic Perms

#### 1. Perm: Adopt a pluralist account of critical theories. The aff can be incorporated into the alt.

Bohman and Rehg 14 (Bohman, James, Professor of Philosophy and Professor of International Studies, St Louis University, and William Rehg, Dean of the College of Philosophy and Letters, St. Louis Universty, "Jürgen Habermas", The Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), <http://plato.stanford.edu/entries/habermas/>)

**Starting with Marx's historical materialism, large-scale macrosociological and historical theories have long been held to be the most appropriate explanatory basis for critical social science. However, such theories have two drawbacks** for the critical project. **First, comprehensiveness does not ensure explanatory power.** Indeed, **there are many such large-scale theories, each with their own distinctive and exemplary social phenomena that guide their attempt at unification. Second, a close examination of standard critical explanations, such as the theory of ideology, shows that such explanations typically appeal to a variety of different social theories** (Bohman 1999). **Habermas's** actual **employment of critical explanations bears this out. His criticism of modern societies turns on the explanation of the relationship between** two very different theoretical terms: **a micro-theory of rationality based on communicative coordination and a macro-theory of** the systemic integration of modern societies through **such mechanisms as the market** (TCA, vol. 2). In concrete terms, this means that Habermas develops a two-level social theory that includes an analysis of communicative rationality, the rational potential built into everyday speech, on the one hand; and a theory of modern society and modernization, on the other (White 1989). On the basis of this theory, **Habermas hopes to be able to assess the gains and losses of modernization and to overcome its one-sided version of rationalization. Comprehensive critical theories make two problematic assumptions: that there is one preferred mode of critical explanation, and that there is one preferred goal of social criticism, namely a socialist society that fulfills the norm of human emancipation.** Only with such a goal in the background does the two-step process of employing historical materialism to establish an epistemically and normatively independent stance make sense. The correctness or incorrectness of such a critical model depends not on its acceptance or rejection by its addressees, but on the adequacy of the theory to objective historical necessities or mechanisms (into which the critical theorist alleges to have superior insight). **A pluralistic mode of critical inquiry suggests a different norm of correctness: that criticism must be verified by those participating in the practice and that this demand for practical verification is part of the process of inquiry itself.** Although Habermas's attitude toward these different modes of critical theory is somewhat ambivalent, **he has given good reasons to accept the practical, pluralist approach. Just as in the analysis of modes of inquiry tied to distinct knowledge-constitutive interests, Habermas accepts that various theories and methods each have “a relative legitimacy.”** Indeed, like Dewey he goes so far as to argue that **the logic of social explanation is pluralistic and eludes the “apparatus of general theories.” In the absence of any such general theories, the most fruitful approach to social-scientific knowledge is to bring all the various methods and theories into relation to each other:** “Whereas the natural and the cultural or hermeneutic sciences are capable of living in mutually indifferent, albeit more hostile than peaceful coexistence, the social sciences must bear the tension of divergent approaches under one roof” (1988a, 3). In TCA, Habermas casts critical social theory in a similarly pluralistic, yet unifying way. In discussing various accounts of societal modernization, for example, **he argues that the main existing theories have their own “particular legitimacy” as developed lines of empirical research, and that Critical Theory takes on the task of critically unifying the various theories and their heterogeneous methods and presuppositions. “Critical social theory does not relate to established lines of research as a competitor; starting from its concept of the rise of modern societies, it attempts to explain the specific limitations and the relative rights of those approaches”** (TCA, 2: 375).

#### 2. Perm: Do the aff and the alternative in all other instances. Double bind: either the alternative is strong enough to overcome the link, or the link is so strong that the alternative fails regardless.

#### 3. Perm do both—Implementing ideas that don’t normally go together is key to find better solutions and break down our own theories.

Marcus 98 (George E., Professor of Anthro at Rice University, Ethnography through Thick and Thin, Princeton: Princeton University Press, 1998, 186-7)

The postmodern notions of heterotopia (Foucault), **juxtapositions, and the blocking together of incommensurables** (Lyotard) **have served to renew the long-neglected practice of comparison** in anthropology, but in altered ways. **Juxtapositions do not have the obvious meta-logic of older styles of comparison in anthropology** (e.g., controlled comparisons within a cultural area or "natural" geographical region); rather, **they emerge from putting questions to an emergent object of study whose controus are not known beforehand, but are themselves a contribution of making an account which has different, complexly connected real-world sites of investigation**. The postmodern object of study is ultimately mobile and multiply situated, so **any ethnography of such an object will have a comparative dimension that is integral to it, in the form of juxtapositions of seeming incommensurables** or phenomena **that might conventionally have appeared to be "world apart**." **Comparison reenters the very act of ethnographic specificity** by a postmodern vision of seemingly improbably juxtapositions**, the global collapsed into and made and integral part of a parallel, related local situations rather than something monolithic and external to them**. This move toward comparison as heterotopia firmly deterritorializes culture in ethnographic writing and simulates accounts of cultures composed in a landscape for which there is as yet no developed theoretical comparison.

#### 4. Perm: Do the aff and all non-mutually exclusive parts of the alternative. Aff as the net benefit outweighs the risk of the link because the use of parts of the alternative should be sufficient to mitigate it.

#### Perm do both—prefer it—the oppositional nature of our political strategies proves doing them simultaneously solves best

Higgins ‘13 [Kathleen, University of Texas-Austin, Philosophy Professor, Winter 2013, Post-Truth Pluralism: The Unlikely Political Wisdom of Friedrich Nietzche] PO

Progressives are right that we live increasingly in a post-truth era, but rather than rejecting it and pining nostalgically for a return to a more truthful time, we should learn to better navigate it. Where the New York Times and Walter Cronkite were once viewed as arbiters of public truths, today the Times competes with the Wall Street Journal, and CBS News with FOX News and MSNBC, in describing reality. The Internet multiplies the perspectives and truths available for public consumption. The diversity of viewpoints opened up by new media is not going away and is likely to intensify. This diversity of interpretations of reality is part of a longstanding trend. Democracy and modernization have brought a proliferation of worldviews and declining authority of traditional institutions to meanings. Citizens have more freedom to create new interpretations of facts. / This proliferation of viewpoints makes the challenge of democratically addressing contemporary problems more complex. One consequence of all this is that our problems become more wicked and more subject to conflicting meanings and agendas. We can’t agree on the nature of problems or their solutions because of fundamentally unbridgeable values and worldviews. In attempting to reduce political disagreement to black and white categories of fact and fiction, progressives themselves uniquely ill-equipped to address our current difficulties, or to advance liberal values in the culture./ A new progressive politics should have a different understanding of the truth than the one suggested by the critics of conservative dishonesty. We should understand that human beings make meaning and apprehend truth from radically different standpoints and worldviews, and that our great wealth and freedom will likely lead to more, not fewer, disagreements about the world. Nietzsche was no democrat, but the pluralism he offers can be encouragement to today’s political class, as well as the rest of us, to become more self-aware of, and honest about, how our standpoint, values, and power affect our determinations of what is true and what is false. / In the post­truth era, we should be able to articulate not one but many different perspectives. Progressives seeking to govern and change society cannot be free of bias, interests, and passions, but they should strive to be aware of them so that they can adopt different eyes to see the world from the standpoint of their fiercest opponents. Taking multiple perspectives into account might alert us to more sites of possible intervention and prime us for creative formulations of alternative possibilities for concerted responses to our problems. / Our era, in short, need not be an obstacle to taking common action. We might see today’s divided expert class and fractions public not as temporary problems to be solved by more reason, science, and truth, but rather as permanent features of our developed democracy. We might even see this proliferation of belief systems and worldviews as an opportunity for human development. We can agree to disagree and still engage in pragmatic action in the World.

### --- IR Perm

#### Prioritization claims are counter-productive and illogical – you should evaluate the veracity of the 1ac’s claims about the world while embracing a plurality of theories

Andrew Bennett 13, government prof at Georgetown, The mother of all isms: Causal mechanisms and structured pluralism in International Relations theory, European Journal of International Relations 2013 19:459

The political science subfield of International Relations (IR) continues to undergo debates on whether and in what sense it is a 'science,1 how it should organize its inquiry into international politics, and how it should build and justify its theories. On one level, **an 'inter-paradigm' debate**, while less prominent than during the 1990s, **has continued to limp along** **among researchers who identify their work as fitting within the research agenda of a grand school of thought, or 'ism**,' and the scholar most closely associated with it, including **neorealism** (Waltz, 1979), **neoliberalism** (Keohane, 1984), **constructivism** (Wendt, 1992), or occasionally **Marxism** (Wallerstein, 1974) or **feminism** (Tickner, 1992). **Scholars** participating in this debate **have often acted as if their preferred** 4 **ism'** **and its competitors were** either "**paradigms**" (following Kuhn, 1962) **or "research programs**' (as defined by Lakatos, 19701. and some have explicitly framed their approach as paradigmatic or programmatic (Hopf, 1998).

**A second level of the debate involves post-positivist critiques** of IR as a "scientific' enterprise (Lapid, 1989). While the vague label "post-positivist, encompasses a diverse group of scholars, frequent post-positivist themes include arguments that observation is theory-laden (Kuhn, 1962), that knowledge claims are always part of mechanisms of power and that meaning is always social (Foucault, 1978), and that individual agents and social structures are mutually constitutive (Wendt, 1992). Taken together, these arguments indicate that the social sciences face even more daunting challenges than the physical sciences.

**A third axis of contestation has been methodological**, involving claims regarding the strengths and limits of statistical, formal, experimental, qualitative case study, narrative, and other methods. In the last two decades the argument that there is 'one logic of inference1 and that this logic is 'explicated and formalized clearly in discussions of quantitative research methods' (King et al., 1994: 3) has generated a useful debate that has clarified the similarities, differences, uses, and limits of alternative methods ( Brady and Collier, 2010; George and Bennett, 2005; Goertz and Mahoney, 2006).

**These debates have** each in their own way **proved fruitful, increasing the** theoretical, epistemological, and methodological **diversity of the field** (Jordan el al., 2009). **The IR subfield has also achieved considerable progress in the last few decades in its theoretical and empirical understanding of important policy-relevant issues**, including the inter-democratic peace, terrorism, peacekeeping, international trade, human rights, international law, international organizations, global environmental politics, economic sanctions, nuclear proliteration, military intervention, civil and ethnic conflicts, and many other topics.

**Yet** there is a widespread sense that **this progress has arisen in spite of interparadigmatic debates rather than because of them**. Several prominent scholars, including Rudra Sil and Peter Katzenstein, have argued that although research cast within the framework of paradigmatic debates has contributed useful concepts and findings, **framing the IR field around inter-paradigmatic debates is ultimately distracting and** even **counterproductive** (Sil and Katzenstein, 2010; see also David Lake, 2011, and in this special issue, and Patrick Thaddeus Jackson and Daniel Nexon, 2009, and in this special issue). These scholars agree that **IR researchers have misapplied** Kuhn's notion of **paradigms in ways that imply that grand theories of tightly connected ideas — the isms — are the central focus of IR theorizing, and that such isms should compete until one wins general consensus**. Sil and Katzenstein argue that **the remedy for this is to draw on pragmatist philosophers and build upon an 'eclectic' mix of theories and methods to better understand the world** (Sil and Katzenstein, 2010). **In this view, no single grand theory can capture the complexities of political life, and the real explanatory weight is carried by more fine-grained theories about 'causal mechanisms**."

In this article I argue that **those urging a pragmatic turn in IR are correct** in their diagnosis of the drawbacks of paradigms and their prescription tor using theories about causal mechanisms as the basis for explanatory progress in IR. **Yet scholars are** understandably **reluctant to jettison the "isms' and the inter-paradigmatic debate** not only because they fear losing the theoretical and empirical contributions made in the name of the isms, but because framing the field around the isms has proven a useful shorthand for classroom teaching and field-wide discourse. The 'eclectic' label that Sil and Katzenstein propose can easily be misinterpreted in this regard, as the Merriam-Webster online dictionary defines 'eclectic\* as 'selecting what appears to be best in various doctrines, methods, or styles,' as Sil and Katzenstein clearly intend, but it also includes as synonyms "indiscriminate" and 'ragtag.'1 By using the term 'eclecticism' and eschewing any analytic structure for situating and translating among different examples of IR research, Sil and Katzenstein miss an opportunity to enable a discourse that is structured as well as pluralistic, and that reaches beyond IR to the rest of the social sciences.

I maintain that in order to sustain the genuine contributions made under the guise of the inter-paradigmatic debate and at the same time get beyond it to focus on causal mechanisms rather than grand theoretical isms, four additional moves are necessary. First, given that mechanism-based approaches are generally embedded within a scientific realist philosophy of science, it is essential to clarify the philosophical and definitional issues associated with scientific realism, as well as the benefits — and costs — of making hypothesized causal mechanisms the locus of explanatory theories. As Christian Reus-Smit argues in this special issue, **IR theory cannot sidestep metatheoretical debates**. Second, **it is important to take post-positivist critiques seriously and to articulate standards for theoretical progress**, other than paradigmatic revolutions, **that are defensible even if they are fallible**. Third, achieving a shift toward mechanismic explanations requires outlining the contributions that diverse methods can make to the study of causal mechanisms. Finally, it is vital to demonstrate that a focus on mechanisms can serve two key functional roles that paradigms played for the IR subfield: first, providing a framework for cumulative theoretical progress; and, second, constituting a useful, vivid, and structured vocabulary for communicating findings to fellow scholars, students, political actors, and the public (see also Stefano Guzzini's article in this special issue). I argue that the term **'structured pluralism'** best captures this last move, as it **conveys the sense that IR scholars can borrow the best ideas from different theoretical traditions and social science disciplines in ways that allow both intelligible discourse and cumulative progress**.

Alter briefly outlining the problems associated with organizing the IR field around the "isms/ this article addresses each of these four tasks in turn. First, it takes on the challenges of defining "causal mechanisms' and using them as the basis of theoretical explanations. Second, it acknowledges the relevance and importance of post-positivist critiques of causal explanation, yet it argues that **scientific realism and** some approaches to **interpretivism are compatible**, and that there are standards upon which they can agree forjudging explanatory progress. Third, it very briefly clarifies the complementary roles that alternative methods can play in elucidating theories about causal mechanisms. Finally, the article presents a taxonomy of theories about social mechanisms to provide a pluralistic but structured framework for cumulative theorizing about politics. This taxonomy provides a platform for developing typological theories — or what others in this special issue, following Robert Merton, have called middle-range theories — on the ways in which combinations of mechanisms interact to produce outcomes. Here, **I join Lake** in this special issue **in urging that IR theorizing be centered around middle-range theories**, and I take issue with Jackson and Nexon's suggestion herein that such theorizing privileges correlational evidence, and their assertion that statistical evidence is inherently associated with Humean notions of causation. I argue that **my taxonomy of mechanisms offers a conceptual bridge to the paradigmatic isms in IR. adopting and organizing their theoretical insights while leaving behind their paradigmatic pretensions**. The article concludes that, among its other virtues, **this taxonomy can help reinvigorate dialogues between IR theory and** **the** **fields of** comparative and American **politics, economics, sociology, psychology, and history, stimulating cross-disciplinary discourses that have been inhibited by the scholasticism of IR's ingrown 'isms**.'

### AT: VTL

#### Even devalued lives are worth saving

Belliotti 3 – Professor of Philosophy, SUNY (Raymond, Happiness is Overrated, p 84)

Consider the following analysis of human lives. A life is minimally meaningful it embodies enough freely chosen interests, projects, purposes, and commitments to engage the bearer and animate his or her faith in life. Even a minimally meaningful life has a narrative structure as a person organizes her energies and resources around her interests and projects. A minimally meaningful life is minimally worthwhile. **A minimally worthwhile life is** one **worth living**, a life such that one would not be better off dead or never having been born. The activities that bring minimal meaning must be appropriate to the experience, they must be real not simulated, not induced through external agency, nor merely hallucinations. **The bar of a meaningful life is quite low. Minimal meaning produces enough satisfaction** of desires and interests **to block suicide** or voluntary euthanasia. Lives are worth continuing and minimally meaningful where great achievement is lacking. Some lives are more meaningful than other lives. Robustly meaningful lives, the ones to which we aspire, embody interests, projects, purposes, and commitments that produce significance. A robustly meaningful life is significant, sometimes important, occasionally even exemplary. We, typically, hope not merely to maintain our lives, but to strive for our vision of a good life. To be significant, a life must influence the lives of others in uncommon ways. A significant life leaves historical footprints. To be important, a life must be significant enough to make a relatively enduring difference in the world. These historical footprints express, thereby making more public, the importance of the life. To be exemplary, a life must be meaningful, significant, important, and valuable enough to serve as a model or ideal. The distinction between minimally meaningful and robustly meaningful lives allows us to include, as we should, both a disabled, slightly retarded person and Leonardo da Vinci into the pantheon of lives worth living. Thus, **meaningful lives need not be** significant, **important, or valuable lives**. Most of us do not have stunningly significant and important lives, although almost all of us do affect the lives of others. **Most** of our **lives fall** somewhere **between minimally** meaningful **and robustly meaningful** lives. The degree and manner of influence is crucial. To be valuable, lives must be linked to and support value. Some of the more important types of value are moral, cognitive, aesthetic, and religious. Hitler had a meaningful, significant, and important life. He did not have a valuable life nor an exemplary life. A valuable life is always meaningful, but a meaningful life may not be valuable. Hitler's life was meaningful but it is reasonable to view it as valueless in the sense that his collective deeds were stunningly immoral.

#### Ignore value to life criteria

Szacki 96 – Professor Emeritus of Sociology, Warsaw (Jerzy, Liberalism After Communism, p 197)

Thus, the task of **politics cannot and should not** be to **resolve the dispute among different conceptions of life. This is** completely unattainable or is **attainable only by a totalitarian enslavement** of society **in the name of** some **one conception**. This being the case, according to Dworkin, '**political decisions must be** as far as possible **independent of conceptions of** the good life, or **what gives value to life. Since citizens** of a society **differ in these conceptions, the government does not treat them as equals if it prefers one conception** to another.'59

### AT: Root Cause

#### Prefer specific causal claims—k not root cause of aff harms

#### Root cause claims are reductive and create ideological polarization—kills political productivity

Nordhaus and Shellenberger ’13 Ted Nordhaus, Michael Shellenberger, “Wicked Polarization: How Prosperity, Democracy, and Experts Divided America,” Breakthrough Journal, Issue 3, Winter 2013, http://thebreakthrough.org/index.php/journal/issue-3/wicked-polarization/

Ultimately, the authors here are after bigger prey than ideological extremism. They have their sights set on continuing Rittel and Webber’s project of dethroning the dominant mode of expert analysis with its pretenses to value-free analysis and policy making. Problem-definition always arises with presumed solutions. Describing obesity as “caused” by food environments implies changing food environments. A larger set of causes (e.g., poor health care, lack of education) reveals a larger number of potential solutions. To stimulate cooperation and action, we might proliferate the number of policy choices we see as legitimate, even if our highest policy priorities are not at the top of the list. In creating a new pluralism for the “post-truth era,” liberals might, paradoxically, find useful counsel from that most illiberal of modern philosophers, Friedrich Nietzsche. His work undermined the Platonic conceit that the world can be understood or experienced from something other than a highly particular point of view. Behind progressive complaints of conservative mendacity, writes Nietzsche scholar Kathleen Higgins, is the assumption that “if people only knew the truth, we wouldn’t have the problems of global warming, economic recession, and poverty — or at least that such challenges would be far smaller.” There is no going back to older notions of objective expertise, for as Rittel and Webber noted, “there are no value-free, true-false answers to any of the wicked problems governments must deal with.” The problem is not that we are in a post-truth age but rather that we have not learned to adapt to it. Perhaps a good place to begin is by recognizing our own biases, perspectives, and agendas and attempting to hold them more lightly. In the end, rising affluence, democracy, and complexity can empower partisanship, but they can also destabilize it. Wickedness creates all manner of opportunity to disrupt the fault lines of our many intensely polarized debates and to disorient partisans accustomed to knowing exactly what they are supposed to think about any issue. If wickedness is the result of framing problems in ways that lend themselves to familiar and long-desired solutions, then bringing an end to our ideological arms race will ultimately require that we force partisans out of their comfort zone by redefining those problems in ways to which partisans do not already know the answers. It is our hope that the essays assembled here will do just that.

### AT: Nonpolitical Alts

#### ( ) Criticisms that lack a political strategy re-inscribe existing structures

Bryant 12 (levi, prof of philosophy at Collins college, Critique of the Academic Left, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

The problem as I see it is that this is the worst sort of abstraction (in the Marxist sense) and wishful thinking. Within a Marxo-Hegelian context, a thought is abstract when it ignores all of the mediations in which a thing is embedded. For example, I understand a robust tree abstractly when I attribute its robustness, say, to its genetics alone, ignoring the complex relations to its soil, the air, sunshine, rainfall, etc., that also allowed it to grow robustly in this way. This is the sort of critique we’re always leveling against the neoliberals. They are abstract thinkers. In their doxa that individuals are entirely responsible for themselves and that they completely make themselves by pulling themselves up by their bootstraps, neoliberals ignore all the mediations belonging to the social and material context in which human beings develop that play a role in determining the vectors of their life. They ignore, for example, that George W. Bush grew up in a family that was highly connected to the world of business and government and that this gave him opportunities that someone living in a remote region of Alaska in a very different material infrastructure and set of family relations does not have. To think concretely is to engage in a cartography of these mediations, a mapping of these networks, from circumstance to circumstance (what I call an “onto-cartography”). It is to map assemblages, networks, or ecologies in the constitution of entities. Unfortunately, the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative. Here I’m reminded by the “underpants gnomes” depicted in South Park: The underpants gnomes have a plan for achieving profit that goes like this: Phase 1: Collect Underpants Phase 2: ? Phase 3: Profit! They even have a catchy song to go with their work: Well this is sadly how it often is with the academic left. Our plan seems to be as follows:Phase 1: Ultra-Radical CritiquePhase 2: ?Phase 3: Revolution and complete social transformation!Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? We seem to always ignore these things and then look down our noses with disdain at the Naomi Kleins and David Graebers of the world. To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing? But finally, and worst of all, us Marxists and anarchists all too often act like assholes. We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done! But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines, etc., etc., etc. What are your proposals? How will you meet these problems? How will you navigate the existing mediations or semiotic and material features of infrastructure? Marx and Lenin had proposals. Do you? Have you even explored the cartography of the problem? Today we are so intellectually bankrupt on these points that we even have theorists speaking of events and acts and talking about a return to the old socialist party systems, ignoring the horror they generated, their failures, and not even proposing ways of avoiding the repetition of these horrors in a new system of organization. Who among our critical theorists is thinking seriously about how to build a distribution and production system that is responsive to the needs of global consumption, avoiding the problems of planned economy, ie., who is doing this in a way that gets notice in our circles? Who is addressing the problems of micro-fascism that arise with party systems (there’s a reason that it was the Negri & Hardt contingent, not the Badiou contingent that has been the heart of the occupy movement). At least the ecologists are thinking about these things in these terms because, well, they think ecologically. Sadly we need something more, a melding of the ecologists, the Marxists, and the anarchists. We’re not getting it yet though, as far as I can tell. Indeed, folks seem attracted to yet another critical paradigm, Laruelle. I would love, just for a moment, to hear a radical environmentalist talk about his ideal high school that would be academically sound. How would he provide for the energy needs of that school? How would he meet building codes in an environmentally sound way? How would she provide food for the students? What would be her plan for waste disposal? And most importantly, how would she navigate the school board, the state legislature, the federal government, and all the families of these students? What is your plan? What is your alternative? I think there are alternatives. I saw one that approached an alternative in Rotterdam. If you want to make a truly revolutionary contribution, this is where you should start. Why should anyone even bother listening to you if you aren’t proposing real plans? But we haven’t even gotten to that point. Instead we’re like underpants gnomes, saying “revolution is the answer!” without addressing any of the infrastructural questions of just how revolution is to be produced, what alternatives it would offer, and how we would concretely go about building those alternatives. Masturbation. “Underpants gnome” deserves to be a category in critical theory; a sort of synonym for self-congratulatory masturbation. We need less critique not because critique isn’t important or necessary– it is –but because we know the critiques, we know the problems. We’re intoxicated with critique because it’s easy and safe. We best every opponent with critique. We occupy a position of moral superiority with critique. But do we really do anything with critique? What we need today, more than ever, is composition or carpentry. Everyone knows something is wrong. Everyone knows this system is destructive and stacked against them. Even the Tea Party knows something is wrong with the economic system, despite having the wrong economic theory. None of us, however, are proposing alternatives. Instead we prefer to shout and denounce. Good luck with that.

#### ( ) Policy simulation is key to political activism

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

### AT: Abstraction

#### Abandoning policy discussion for epistemological questioning slows action and causes violence

Darryl Jarvis (Director of the Research Institute for International Risk and Lecturer in International Relations, The University of Sydney) 2000 “International relations and the challenge of postmodernism” p. 128-9

More is the pity that such irrational and obviously abstruse debate should so occupy us at a time of great global turmoil.  That it does and continues to do so reflects our lack of judicious criteria for evaluating theory and, more importantly, the lack of attachment theorist have to the real world.  Certainly it is right and proper that we ponder what we ponder the depth of our theoretical imagination, engage in epistemological and ontological debate, and analyze the sociology of our knowledge.  But to suppose that this is the only talk on international theory, let alone the most important one, smacks of intellectual elitism and displays a certain contempt for those who search for guidance in their daily struggle as actors in international politics.  What does Ashley’s project, his deconstructive efforts, or valiant fight against positivism say to the truly marginalized, oppressed, and destitute?  How does it help solve the plight of the poor, the displaced refugees, the casualties of war, or the emrigres of death squads?  Does it in any way speak to those actions and thoughts comprise the policy and practice of international relations?  On all these questions one must answer no.  That is not to say, of course, that all theory should be judged by its technical rationality and problem solving capacity as Ashley forcefully argues.  But to suppose that problem solving technical theory is not necessary – or is in some way bad – is a contemptuous position that abrogates any hope of solving some of the nightmarish realities that millions confront daily.  As Holsti argues, we need ask of these theorists and their theories the ultimate question, “So What?”  To what purpose do they construct, problematize, destabilize, undermine, ridicule, and belittle modernist and rationalist approaches?  Does this get us any further, make the world any better, or enhance the human condition?  In what sense can this “debate towards bottomless pit of epistemology and metaphysics” be judged pertinent, relevant, helpful, or cogent to anyone other than those foolish enough to be scholastically excited by abstract and recondite debate?

## Theory

### Condo Bad

#### Neg conditionality is a voting issue—destroys 1AR strategic flexibility which is the arc of clash and also provides the neg with a no risk option to follow the path of least resistance—depth is key to debate’s political value, but condo encourages late developing debates where the neg win percentage is astronomically high—reject the debater since rejecting the argument is the definition of condo

### PIKs Bad

#### Reject PIKs—they moot all 1AC offense which functionally gives the neg one more speech than us—they’re also infinitely unpredictable since there are an infinite number of things they could have PIKed out of from the 1AC—we also can’t check abuse with perms—Ks with exclusive alternatives solve all their offense

### Perfcons bad

#### 1] It’s like pre-meditated murder – they knew they were wrong but did it anyway, which makes them worse than us, because we only linked unintentionally. Vote them down first.

#### 2] It forces us to contradict too – if they contradict, we lose our stable advocacy as well, and our ground because they can cross-apply our answers to take each other out, so we always lose.

#### 3] False advocacies are bad for debate – they violate their own arguments, which proves they don’t really believe them. That’s bad for debate because it promotes cynicism and destroys political activism.

#### Vote them down on it for ground and that they link more than we do

## AT: Racist History K

### 1AR

#### ( ) No link—aff isn’t gun control with racist intent, and we reject that aspect of history—obviously the policies are distinct—just aff uniqueness because it proves we need to reappropriate gun laws—pretty much everything in the US has had a racist past which means the K is infinitely regressive

#### ( ) Perm do both—the aff is the net benefit

#### ( ) Perm do the aff and the alternative in all other instances—double bind: either the alt is strong enough to overcome the link or the impact’s inevitable

#### ( ) Perm—endorse the aff’s policy while keeping in mind the problematic history behind gun control

#### No link—not all gun bans are linked to racism

Winkler ’13 (Adam, Professor @ UCLA Law School, “Gun Control is ‘Racist’?” New Republic, 2013)

Of course, **not every gun law in American history was motivated by racism**. In fact, some of our earliest gun laws had nothing to do with prejudice. After 1820, for instance, a wave of laws swept through the South and Midwest barring people from carrying concealed weapons. These laws weren't racist in origin; blacks in many of these states were already prohibited from even owning a gun. **The target of concealed carry laws was white people**, namely violence-prone men who were a bit too eager to defend their honor by whipping out their guns. These laws, which might be thought of as the first modern gun control laws, had their origin in reducing criminal violence among whites. Moreover, Keene's claim that gun control has racist roots is not made to correct the historical record. He uses that history to raise doubts about President Obama's proposals for background checks and restrictions on high-capacity magazines and assault weapons. Of course, **there is no evidence [that gun control]** any of these laws **are motivated by** even the hint **of racism. To suggest that we shouldn't adopt any gun regulations** today **because our ancestors had racist gun laws is**, to be generous, **far-fetched. Property [and]** law was once profoundly racist, allowing racially restrictive covenants; **voting law** was **[were] once profoundly racist**, allowing literacy tests; marriage law was once profoundly racist, allowing no interracial marriage. **Does that mean we should never have** laws regulating property, **voting**, or marriage? In these other areas of law, such a claim would be patently absurd. Yet in the minds of today's **NRA leaders, that's what passes for logic.**

#### ( ) Their focus on history is bad—it immobilizes action—we should remain radically open to futurity

Zupancic ’03 (Alenka, The Shortest Shadow: Nietzsche’s Philosophy of the Two, pg 57-60)

In Unfashionable Observations, Second Piece (“On the Utility and Liability of History of Life”), Nietzsche links the question of forgetting (which he employs as a synonym for the ahistorical) to the question of the act. Forgetting, obvlivion, is the very condition of possibility for an act in the strong sense of the word. Memory (the “historical”) is eternal sleeplessness and alert insomnia, a state in which no great thing can happen, and which could even be said to serve this very purpose. Considering the common conception according to which memory is something monumental that “fixes” certain events, and closes us within their horizon, Nietzsche proposes a significantly different notion. It is precisely as an eternal openness, an unceasing stream, that memory can immobilize us, mortify us, make us incapable of action. Nietzsche invites us to imaging the extreme example of a human being who does not possess the power to forget. Such a human being would be condemned to see becoming everywhere: he would no longer believe in his own being, would see everything flow apart in turbulent particles, and would lose himself in this stream of becoming. He would be like the true student of Heraclitus. A human being who wanted to experience things in a thoroughly historical manner would be like someone forced to go without sleep. Memory holds us in eternal motion – it keeps opening numerous horizons, and this is precisely how it immobilizes us, forcing us into frenetic activity. Hence, Nietzsche advances a thesis that is as out of tune with our times as it is his own: “every living thing can become healthy, strong and fruitful only within a defined horizon; if it is incapable of drawing a horizon around itself and too selfish, in turn, to enclose its own perspectives within an alien horizon, then it will feebly waste away or hasten to its timely und.” Of course, Nietzsche’s aim here is not to preach narrow-mindedness and pettiness, nor is it simply to affirm the ahistorical against history and memory. On the contrary, he clearly states that it is only by thinking, reflecting, comparing, analyzing and synthesizing (i.e. only by means of the power to utilize the past for life and to reshape past events into history) that the human being becomes properly human. Yet, in the excess of history, the human being ceases to be human once again, no longer able to create or invent. This is why Nietzsche insists that “every great historical event” is born in the “ahistorical atmosphere,” that is to say, in conditions of oblivion and closure: Imagine a man seized and carried away by a vehement passion for a woman or for a great idea; how his world changes! Looking backward he feels he is blind, listening around he hears what is unfamiliar as a dull, insignificant sound; and those things that he perceives at all he never before perceived in this way; so palpable and near, colorful, resonant, illuminated, as though he were apprehending it with all his senses at once. All his valuations are changed and devalued;... It is the most unjust condition in the world, narrow, ungrateful to the past, blind to dangers, deaf to warnings; a tiny whirlpool of life in a dead sea of night and oblivion; and yet this condition—ahistorical, antihistorical through and through— is not only womb of the unjust deed, but of every just deed as well; and no artist will create a picture, no general win a victory, and no people gain its freedom without their having previously desired and striven to accomplish these deeds in just such an ahistorical condition.... Thus, everyone who acts loves his action infinitely more than it deserves to beloved, and the best deeds occur in such an exuberance of love that, no matter what, they must be unworthy of this love, even if their worth were otherwise incalculably great. If we read this passage carefully, we note that the point is not simply that the capacity to forget, or the “ahistorical condition,” is the condition of “great deeds” or “events.” On the contrary: it is the pure surplus of passion or love (for something) that brings about this closure of memory, this “ahistorical condition.” In other words, it is not that we have first to close ourselves within a defined horizon in order then to be able to accomplish something. The closure takes place with the very (“passionate”) opening toward something (“a woman or a great idea”). Nietzsche's point is that if this surplus passion engages us "in the midst of life," instead of mortifying us, it does so via its inducement of forgetting. Indeed, I could mention a quite common experience here: whenever something important happens to us and incites our passion, we tend to forget and dismiss me grudges and resentments we might have been nurturing before. Instead of "forgiving" those who might have injured us in the past, we forget and dismiss these injuries. If we do not, if we "work on our memory" and strive to keep these grudges alive, they will more probably affect and mortify our (new) passion. It could also be interesting to relate Nietzsche’s reflections from the quoted passage to the story of Hamlet, in which the imperative to remember, uttered by Hamlet’s father’s Ghost, plays a very prominent role. Remember me! Remember me!, the Ghost repeats to Hamlet, thus engaging him in the singular rhythm that characterizes the hero of this play that of the alternation between resigned apathy and frenetic activity or precipitate actions (his killing of Polonius, as well as that of Rosencrantz and Guildenstern; his engagement in the duel with Laertes . . .). This movement prevents Hamlet from carrying out the very deed his father’s Ghost charges him with. Many things have been said and written about the relationship between action and knowledge in this play, and about how knowledge prevents Hamlet from acting. Although the two notions are not unrelated, it might be interesting to consider this also in terms of memory (not only in terms of knowledge). It could be worthwhile to contemplate the role played by the imperative of memory. Could we not say that one of the fundamental reasons for the difficulty of Hamlet’s position is precisely the structural incompatibility of memory and action that is to say, the fact that action ultimately always betrays memory? And do we not encounter something similar in the wider phenomenon of melancholy (in the play, Hamlet is actually said to be melancholic) as a never-ending grief that keeps alive, through pain, the memory of what was lost? Additionally, although we can recognize in this kind of melancholy a form of fidelity (for instance to use Nietzsche’s words fidelity to a woman or a great idea), this kind of fidelity, bound to memory, should be distinguished from fidelity to the very event of the encounter with this woman or idea. Contrary to the first form, this second form of fidelity implies and presupposes the power to forget.

#### Your argument is historically misinformed – every instance of black insurrection with guns only empowered anti-black structures.

Everitt ’10 [Ladd Everitt, Director of Communications at the [Coalition to Stop Gun Violence](http://www.csgv.org/), “Debunking the ‘gun control is racist’ smear”, Waging Non-Violence, 2010]

Thomas also refers to Nat Turner, a Virginian slave and preacher who staged a rebellion to seek God’s judgment against the institution of slavery. The revolt began on the night of August 13, 1831, when Turner and six of his followers went from house to house killing slave owners and their families with a hatchet and a broad axe. At each house, the rebels freed any slaves they encountered and stocked up on more weapons. Eventually, his force numbered 60 men—all armed with guns, axes, swords and clubs. The revolt lasted nearly 10 days and 57 whites were killed before the group was pushed back by militia and federal forces. Although Turner escaped, he was caught two months later, immediately convicted, and hanged. In Virginia, the [retribution](http://www.jstor.org/pss/2713592) was brutal: A reign of terror followed in Virginia. Labor was paralyzed, plantations abandoned, women and children were driven from home and crowded into nooks and corners. The sufferings of many of these refugees who spent night after night in the woods were intense. Retaliation began. In a little more than one day 120 Negroes were killed … One individual boasted that he himself had killed between ten and fifteen Negroes … Negroes were tortured to death, burned, maimed and subjected to nameless atrocities. Thomas himself tells us the broader consequences of Turner’s exercise of “Second Amendment rights”: “The fear generated by these and other rebellions led southern legislatures to take particularly vicious aim at the rights of free blacks and slaves to speak or to keep and bear arms for their defense.” The Colfax Massacre is another tragedy frequently cited by the majority in McDonald.Colfax actually began as a civil rights success story. During the Reconstruction period, African-Americans in the small Louisiana town elected officeholders, held important public positions, and even organized a state militia company led by a black man, William Ward. Eventually, however, their unit was demobilized after moving too aggressively to arrest white terrorists. A withdrawal of federal government support set the stage for the [massacre](http://books.google.com/books?id=IGrlvhXUetoC&printsec=frontcover&cd=1&source=gbs_ViewAPI#v=onepage&q&f=false) on April 13, 1873, when between 62-81 African Americans—more than half of them armed with firearms—were slaughtered by a larger, better-equipped force of whites. As my boss, CSGV Executive Director Josh Horwitz, and Casey Anderson [put it](http://books.google.com/books?id=9qDIamIBC90C&pg=PA122&dq=guns,+democracy,+and+the+insurrectionist+idea+the+collapse+of+reconstruction&hl=en&ei=piiSTJ_cC8Lflgefh5mnCg&sa=X&oi=book_result&ct=result&resnum=1&ved=0CCgQ6AEwAA#v=onepage&q&f=false), according to gun rights activists: …the collapse of Reconstruction—and every tragic consequence that followed—could have been avoided if the newly freed slaves had had access to firearms. This explanation of events is a fantasy. It is easy…to identify incidents where the victim of racist violence might have defended themselves more effectively if they had been armed with guns. The idea that white racists could have been kept in check by ensuring widespread access to firearms among black southerners, however, is absurd. In fact, the American experience during and after Reconstruction illustrates that the…premise…that private ownership of guns safeguards individual rights against tyranny of the majority is exactly backward in explaining the relationship between private force and state power in protecting individual rights … Not only is the claim that gun rights could have stopped the Jim Crow system a falsehood, but it covers up the even more important insight that [this argument] is a continuation of a concerted effort, born and nurtured in the antebellum South, to limit the federal government’s effectiveness in protecting the democratic rights of the most vulnerable Americans. I can’t help but think of Lifetime National Rifle Association (NRA) Member Rand Paul[advocating](http://www.huffingtonpost.com/josh-horwitz/second-amendment-remedies_b_616191.html) for the repeal of a section of the 1964 Civil Rights Act and stating that gun carriers should be a protected class like minorities. Nor could “Reclaim the Dream” rally organizer Rev. Al Sharpton when he recently [referred](http://www.nationalactionnetwork.net/media-info/revs-written-opinions/409-tea-party-runs-counter-to-the-civil-rights-movement.html) to Paul while noting that King’s life work was conducted “for the precise purpose of pushing for increased federal action and involvement to nullify all discriminatory state and local practices.”

#### **( ) Your method can only cause rejection and backlash by the masses who view it as too much to process**

Butler 11 (Judith, Waging Non Violence, 4-2, http://wagingnonviolence.org/2011/04/judith-butler-on-the-blurry-line-of-violence/)

NS: In The Power of Religion in the Public Sphere, you find reasons to critique Israeli state violence in a kind of Jewish thought articulated by Walter Benjamin and Hannah Arendt. Yet this seems far from what seems to count as Jewishness in public discourse today. **Do you think those thinkers can be made to matter in public**? JB: I have no idea. **Let’s remember that we are also in the midst of a paroxysm of anti-intellectualism within the U.S., coupled with an attack on public education and the academy**. So **your question implies these broader issues.**  NS: What, then, would you say anti-intellectualism is keeping people from realizing? JB: **In order for democratic principles to have a chance in Israel-Palestine, there has to be a recognition of the ways in which Zionism, though understanding itself as an emancipatory movement for Jews, instituted a colonial project and the colonial subjugation of the Palestinian people. In order for this contradiction to be understood and effectively addressed, we have to be able to tell two histories at once, and to show how they converge, and how the claim of freedom for one became the claim of dispossession for another. Benjamin** made use of Jewish intellectual resources to criticize the kind of progressive narrative that underwrites Zionism, and he **concerned himself with** the question, avant la lettre, of how **the history of the oppressed might erupt within the continuous history of the oppressor.**  NS: **Asking people to remember two histories at once does seem like a public-relations challenge**. And what can we learn from Arendt?

#### ( ) Genealogies can be recolonized—there’s nothing inherently liberatory about new readings of history

Brown 96, Professor of Women's Studies and Legal Studies, and is Co-Director of the Center for Cultural Studies at the University of California, Santa Cruz, (Wendy, 3 U Chi L Sch Roundtable 185, lexis)

It is from his "Two Lectures" on power, 15 and occurs in the context of his discussion of discovering or "disinterring" subju- gated knowledges: . . . is it not perhaps the case that these **fragments of genealogies are no sooner brought to light, that the particular elements of the knowledge that one seeks to disinter are no sooner accredited and put into circulation, than they run the risk of re-codification, recolonisation**? In fact, those unitary **discourses, which first disqualified and then ignored them when they made their appearance, are, it seems, quite ready now to annex them, to take them back within the fold of their own discourse and to invest them with everything this implies in terms of their effects of knowledge and power**. 16 Here, Foucault's concern is less with disrupting the conventional modernist equation of power with speech on one side, and oppression with silence on the other, than with the ways in which **insurrectionary discourse borne of exclusion and marginalization can be colonized by that which produced it much as counter-cultural fashion is routinely commodified by the corporate textile industry**. While "disqualified" discourses are an effect of domination, they nevertheless potentially function as oppositional when they are deployed by those who inhabit them. However, when "annexed" by those "unitary" discourses which they ostensibly oppose, they become a particularly potent source of regulation, carrying as they do intimate and detailed knowledge of their subjects. Thus, **Foucault's worry would** appear to **adhere** not simply to the study of but **to the overt political mobilization of oppositional discourses.**

#### ( ) Ethics should come before the past. Ethics should acknowledge that we are already here not that our obligation stems from the past. You should reject the temporalizing notion of ethics in favor of proximity

Meister 5 (Robert, "Never Again": The Ethics of the Neighbor and the Logic of Genocide, PMC 15.2 Proximity and Ethics)

**Our responsibility to alleviate suffering comes before the past in the sense in which ethics can be said to come before politics.** The priority of ethics arises "from the fear of occupying someone's place in the Da of my Dasein": "My . . . 'place in the sun,'" he says, "my home--have they not been a usurpation of places which belong to the others already oppressed or . . . expelled by me into a third world" ("From the One to the Other" 144-5). Lévinas's point is that **in ethics, unlike politics, we do not ask who came first and what we have already done to (or for) each other**. **The distinctively ethical question is rather one of proximity--we are already here and so is the other**, cheek-by-jowl with us in the same place. The neighbor is the figure of the other toward whom our only relationship is that of proximity. For Lévinas, the global movement to give ethics primacy over politics must be accompanied, within ethics, by the effort to give primacy to the ethics of the neighbor--the local over the global. In this way, the global primacy of ethics crystallizes around our horror of the inhuman act (the "gross" violation of human rights) rather than, for example, around the international distribution of wealth or the effects of global climate change. Proximity is, thus, the marker that distinguishes an ethics of the neighbor as a basis for human rights from global concerns about injustice that might also be considered ethical. Proximity is not itself a merely spatial concept--both space and time can be proximate or distant--but **it is useful to think of the ethics of the neighbor as a spatializing discourse within ethics,** **as distinct from a "temporalizing" discourse that subordinates ethics to political rhetorics associated with memory and identity** (Boyarin, "Space" 20). **The latter is held accountable for the atrocities of the twentieth century because it suggests that the suffering of one's immediate neighbor can be justified through an historical narrative that links it to redeeming the suffering of someone else, perhaps an ancestor** or a comrade, **to whom one claims an historical relationship that is "closer" than relations among neighbors. To regard proximity of place as the ethical foundation of politics is to resist this tendency from the beginning**, and thereby to set the stage for the fin-de-siècle project of transitional justice, which is both the alternative to human rights interventions and their professed aim.

### Lex 1AR

#### ( ) No link—aff isn’t gun control with racist intent, and we reject that aspect of history—obviously the policies are distinct—just aff uniqueness because it proves we need to reappropriate gun laws—pretty much everything in the US has had a racist past which means the K is infinitely regressive

#### ( ) Perm do both—the aff is the net benefit

#### ( ) Perm do the aff and the alternative in all other instances—double bind: either the alt is strong enough to overcome the link or the impact’s inevitable

#### ( ) Perm—endorse the aff’s policy while keeping in mind the problematic history behind gun control

#### No link—not all gun bans are linked to racism

Winkler ’13 (Adam, Professor @ UCLA Law School, “Gun Control is ‘Racist’?” New Republic, 2013)

Of course, **not every gun law in American history was motivated by racism**. In fact, some of our earliest gun laws had nothing to do with prejudice. After 1820, for instance, a wave of laws swept through the South and Midwest barring people from carrying concealed weapons. These laws weren't racist in origin; blacks in many of these states were already prohibited from even owning a gun. **The target of concealed carry laws was white people**, namely violence-prone men who were a bit too eager to defend their honor by whipping out their guns. These laws, which might be thought of as the first modern gun control laws, had their origin in reducing criminal violence among whites. Moreover, Keene's claim that gun control has racist roots is not made to correct the historical record. He uses that history to raise doubts about President Obama's proposals for background checks and restrictions on high-capacity magazines and assault weapons. Of course, **there is no evidence [that gun control]** any of these laws **are motivated by** even the hint **of racism. To suggest that we shouldn't adopt any gun regulations** today **because our ancestors had racist gun laws is**, to be generous, **far-fetched. Property [and]** law was once profoundly racist, allowing racially restrictive covenants; **voting law** was **[were] once profoundly racist**, allowing literacy tests; marriage law was once profoundly racist, allowing no interracial marriage. **Does that mean we should never have** laws regulating property, **voting**, or marriage? In these other areas of law, such a claim would be patently absurd. Yet in the minds of today's **NRA leaders, that's what passes for logic.**

#### Now, on Curry—1) Doesn’t mean rejection—just means history is important 2) Turn: their focus on history is bad—it immobilizes action—we should remain radically open to futurity

Zupancic ’03 (Alenka, The Shortest Shadow: Nietzsche’s Philosophy of the Two, pg 57-60)

In Unfashionable Observations, Second Piece (“On the Utility and Liability of History of Life”), Nietzsche links the question of forgetting (which he employs as a synonym for the ahistorical) to the question of the act. Forgetting, obvlivion, is the very condition of possibility for an act in the strong sense of the word. Memory (the “historical”) is eternal sleeplessness and alert insomnia, a state in which no great thing can happen, and which could even be said to serve this very purpose. Considering the common conception according to which memory is something monumental that “fixes” certain events, and closes us within their horizon, Nietzsche proposes a significantly different notion. It is precisely as an eternal openness, an unceasing stream, that memory can immobilize us, mortify us, make us incapable of action. Nietzsche invites us to imaging the extreme example of a human being who does not possess the power to forget. Such a human being would be condemned to see becoming everywhere: he would no longer believe in his own being, would see everything flow apart in turbulent particles, and would lose himself in this stream of becoming. He would be like the true student of Heraclitus. A human being who wanted to experience things in a thoroughly historical manner would be like someone forced to go without sleep. Memory holds us in eternal motion – it keeps opening numerous horizons, and this is precisely how it immobilizes us, forcing us into frenetic activity. Hence, Nietzsche advances a thesis that is as out of tune with our times as it is his own: “every living thing can become healthy, strong and fruitful only within a defined horizon; if it is incapable of drawing a horizon around itself and too selfish, in turn, to enclose its own perspectives within an alien horizon, then it will feebly waste away or hasten to its timely und.” Of course, Nietzsche’s aim here is not to preach narrow-mindedness and pettiness, nor is it simply to affirm the ahistorical against history and memory. On the contrary, he clearly states that it is only by thinking, reflecting, comparing, analyzing and synthesizing (i.e. only by means of the power to utilize the past for life and to reshape past events into history) that the human being becomes properly human. Yet, in the excess of history, the human being ceases to be human once again, no longer able to create or invent. This is why Nietzsche insists that “every great historical event” is born in the “ahistorical atmosphere,” that is to say, in conditions of oblivion and closure: Imagine a man seized and carried away by a vehement passion for a woman or for a great idea; how his world changes! Looking backward he feels he is blind, listening around he hears what is unfamiliar as a dull, insignificant sound; and those things that he perceives at all he never before perceived in this way; so palpable and near, colorful, resonant, illuminated, as though he were apprehending it with all his senses at once. All his valuations are changed and devalued;... It is the most unjust condition in the world, narrow, ungrateful to the past, blind to dangers, deaf to warnings; a tiny whirlpool of life in a dead sea of night and oblivion; and yet this condition—ahistorical, antihistorical through and through— is not only womb of the unjust deed, but of every just deed as well; and no artist will create a picture, no general win a victory, and no people gain its freedom without their having previously desired and striven to accomplish these deeds in just such an ahistorical condition.... Thus, everyone who acts loves his action infinitely more than it deserves to beloved, and the best deeds occur in such an exuberance of love that, no matter what, they must be unworthy of this love, even if their worth were otherwise incalculably great. If we read this passage carefully, we note that the point is not simply that the capacity to forget, or the “ahistorical condition,” is the condition of “great deeds” or “events.” On the contrary: it is the pure surplus of passion or love (for something) that brings about this closure of memory, this “ahistorical condition.” In other words, it is not that we have first to close ourselves within a defined horizon in order then to be able to accomplish something. The closure takes place with the very (“passionate”) opening toward something (“a woman or a great idea”). Nietzsche's point is that if this surplus passion engages us "in the midst of life," instead of mortifying us, it does so via its inducement of forgetting. Indeed, I could mention a quite common experience here: whenever something important happens to us and incites our passion, we tend to forget and dismiss me grudges and resentments we might have been nurturing before. Instead of "forgiving" those who might have injured us in the past, we forget and dismiss these injuries. If we do not, if we "work on our memory" and strive to keep these grudges alive, they will more probably affect and mortify our (new) passion. It could also be interesting to relate Nietzsche’s reflections from the quoted passage to the story of Hamlet, in which the imperative to remember, uttered by Hamlet’s father’s Ghost, plays a very prominent role. Remember me! Remember me!, the Ghost repeats to Hamlet, thus engaging him in the singular rhythm that characterizes the hero of this play that of the alternation between resigned apathy and frenetic activity or precipitate actions (his killing of Polonius, as well as that of Rosencrantz and Guildenstern; his engagement in the duel with Laertes . . .). This movement prevents Hamlet from carrying out the very deed his father’s Ghost charges him with. Many things have been said and written about the relationship between action and knowledge in this play, and about how knowledge prevents Hamlet from acting. Although the two notions are not unrelated, it might be interesting to consider this also in terms of memory (not only in terms of knowledge). It could be worthwhile to contemplate the role played by the imperative of memory. Could we not say that one of the fundamental reasons for the difficulty of Hamlet’s position is precisely the structural incompatibility of memory and action that is to say, the fact that action ultimately always betrays memory? And do we not encounter something similar in the wider phenomenon of melancholy (in the play, Hamlet is actually said to be melancholic) as a never-ending grief that keeps alive, through pain, the memory of what was lost? Additionally, although we can recognize in this kind of melancholy a form of fidelity (for instance to use Nietzsche’s words fidelity to a woman or a great idea), this kind of fidelity, bound to memory, should be distinguished from fidelity to the very event of the encounter with this woman or idea. Contrary to the first form, this second form of fidelity implies and presupposes the power to forget.

#### On Trifonas--

### AT: Abolition Alt

#### Is crime non-existent in your world? Can some things be banned from being obtained – This has to be a k about discriminatory enforcement – which.

#### Short term efforts to reduce incarceration is an effective combination of critique, action, and goals that holds reform and abolition in creative tension in order to maintain the advantages of both—we aren’t reformism, but non-reformist reforms towards abolition

Berger 13 [2013, Dan Berger is an Assistant Professor at the University of Washington Bothell, “Social Movements and Mass Incarceration: What is To Be Done?”, Souls: A Critical Journal of Black Politics, Culture, and Society, Volume 15, Issue 1-2, 2013, pages 3-18]

The strategy of decarceration combines radical critique, direct action, and tangible goals for reducing the reach of the carceral state. It is a coalitional strategy that works to shrink the prison system through a combination of pragmatic demands and far-reaching, open-ended critique. It is reform in pursuit of abolition. Indeed, decarceration allows a strategic launch pad for the politics of abolition, providing what has been an exciting but abstract framework with a course of action. 32 Rather than juxtapose pragmatism and radicalism, as has so often happened in the realm of radical activism, the strategy of decarceration seeks to hold them in creative tension. It is a strategy in the best tradition of the black freedom struggle. It is a strategy that seeks to take advantage of political conditions without sacrificing its political vision. Today we are in a moment where it is possible, in the words of an organizer whose work successfully closed Illinois's infamous supermax prison Tamms in January 2013, to confront prisons as both an economic and a moral necessity. 33 Prisons bring together diverse forms of oppression across race, class, gender, sexuality, citizenship status, HIV status and beyond. The movements against them, therefore, will need to bring together diverse communities of resistance. They will need to unite people across a range of issues, identities, and sectors. That is the coalition underlying groups such as Californians United for a Responsible Budget (CURB), the Nation Inside initiative, and Decarcerate PA. The fight against prisons is both a targeted campaign and a broad-based struggle for social justice. These movements must include the leadership by those directly affected while at the same work to understand that prisons affect us all. This message is the legacy of prison rebellions from Attica in 1971 to Pelican Bay in 2012. The challenge is to maintain the aspirational elements of that message while at the same time translating it into a political program. Decarceration, therefore, works not only to shrink the prison system but to expand community cohesion and maximize what can only be called freedom. Political repression and mass incarceration are joined at the hip. The struggles against austerity, carcerality, and social oppression, the struggles for restorative and transformative justice, for grassroots empowerment and social justice must be equally interconnected. For it is only when the movement against prisons is as interwoven in the social fabric of popular resistance as the expansion of prisons has been stitched into the wider framework of society that we might hope to supplant the carceral state. There are many obstacles on the path toward decarceration; the existence of a strategy hardly guarantees its success. Until now, I have focused largely on the challenges internal to the movement, but there are even taller hurdles to jump in encountering (much less transforming) the deeply entrenched carceral state. Perhaps the biggest challenge, paradoxically, comes from the growing consensus, rooted in the collective fiscal troubles of individual states, that there is a need for prison reform. In that context, a range of politicians, think tanks, and nonprofit organizations—from Right on Crime to the Council on State Governments and the Pew Charitable Trusts—have offered a spate of neoliberal reforms that trumpet free market solutions, privatization, or shifting the emphasis away from prisons but still within the power of the carceral state. Examples include the “Justice Reinvestment” processes utilized by states such as Texas and Pennsylvania that have called for greater funding to police and conservative victim's rights advocates while leaving untouched some of the worst elements of excessive punishment. These neoliberal reforms can also be found in the sudden burst of attention paid to “reentry services” that are not community-led and may be operated by private, conservative entities. 34 Perhaps the grandest example can be found in California, where a Supreme Court ruling that overcrowding in the state's prisons constituted cruel and unusual punishment has been met with a proposal for “realignment,” that shifts the burden from state prisons to county jails. 35 A combination of institutional intransigence and ideological commitment to punish makes the road ahead steep. Even as many states move to shrink their prison populations, they have done so in ways that have left in place the deepest markings of the carceral state, such as the use of life sentences and solitary confinement, and the criminalization of immigrants. Social movements will need to confront the underlying ideologies that hold that there is an “acceptable” level of widespread imprisonment, that there is a specter of villainy out there—be they “illegal immigrants,” “cop killers,” “sex criminals”—waiting in the wings to destroy the American way of life. 36 There is a risk, inherent in the sordid history of prison reform, that the current reform impulse will be bifurcated along poorly defined notions of “deservingness” that will continue to uphold the carceral logic that separates “good people” from “bad people” and which decides that no fate is too harsh for those deemed unworthy of social inclusion. This, then, is a movement that needs to make nuanced yet straightforward arguments that take seriously questions of accountability while showing that more cops and more (whether bigger or smaller) cages only takes us further from that goal. 37 At stake is the kind of world we want to live in, and the terms could not be more clear: the choice, to paraphrase Martin Luther King, is either carceral chaos or liberatory community. The framework of community—as expressed Decarcerate PA slogan “build communities not prisons” and the CURB “budget for humanity” campaign—allows for a robust imagination of the institutions and mechanisms that foster community versus those that weaken it. It focuses our attention on activities, slogans, programs, and demands that maximize communities. In short, it allows for unity. If the state wants to crush dissent through isolation, our movements must rely on togetherness to win. Solidarity is the difference between life and death. State repression expands in the absence of solidarity. Solidarity is a lifeline against the logic of criminalization and its devastating consequences. For the most successful challenges to imprisonment come from intergenerational movements: movements where people raise each other's consciousness and raise each other's children, movements that fight for the future because they know their history. Here, in this pragmatic but militant radicalism, is a chance to end mass incarceration and begin the process of shrinking the carceral state out of existence.

#### Complete rejection of institutional logic of civil society crushes anti-white supremacy politics.

Kimberle CRENSHAW Law @ UCLA 88 [RACE, REFORM, AND RETRENCHMENT: TRANSFORMATION AND LEGITIMATION IN ANTIDISCRIMINATION LAW 101 Harv. L. Rev. 1331 L/N]

Questioning the Transformative View: Some Doubts About Trashing The Critics' product is of limited utility to Blacks in its present form. The implications for Blacks of trashing liberal legal ideology are troubling, even though it may be proper to assail belief structures that obscure liberating possibilities. Trashing legal ideology seems to tell us repeatedly what has already been established -- that legal discourse is unstable and relatively indeterminate. Furthermore, trashing offers no idea of how to avoid the negative consequences of engaging in reformist discourse or how to work around such consequences. Even if we imagine the wrong world when we think in terms of legal discourse, we must nevertheless exist in a present world where legal protection has at times been a blessing -- albeit a mixed one. The fundamental problem is that, although Critics criticize law because it functions to legitimate existing institutional arrangements, it is precisely this legitimating function that has made law receptive to certain demands in this area. The Critical emphasis on deconstruction as the vehicle for liberation leads to the conclusion that engaging in legal discourse should be avoided because it reinforces not only the discourse itself but also the society and the world that it embodies. Yet Critics offer little beyond this observation. Their focus on delegitimating rights rhetoric seems to suggest that, once rights rhetoric has been discarded, there exists a more productive strategy for change, one which does not reinforce existing patterns of domination. Unfortunately, no such strategy has yet been articulated, and it is difficult to imagine that racial minorities will ever be able to discover one. As Frances Fox Piven and Richard Cloward point out in their [\*1367] excellent account of the civil rights movement, popular struggles are a reflection of institutionally determined logic and a challenge to that logic. 137 People can only demand change in ways that reflect the logic of the institutions that they are challenging. 138 Demands for change that do not reflect the institutional logic -- that is, demands that do not engage and subsequently reinforce the dominant ideology -- will probably be ineffective. 139 The possibility for ideological change is created through the very process of legitimation, which is triggered by crisis. Powerless people can sometimes trigger such a crisis by challenging an institution internally, that is, by using its own logic against it. 140 Such crisis occurs when powerless people force open and politicize a contradiction between the dominant ideology and their reality. The political consequences [\*1368] of maintaining the contradictions may sometimes force an adjustment -- an attempt to close the gap or to make things appear fair. 141 Yet, because the adjustment is triggered by the political consequences of the contradiction, circumstances will be adjusted only to the extent necessary to close the apparent contradiction. This approach to understanding legitimation and change is applicable to the civil rights movement. Because Blacks were challenging their exclusion from political society, the only claims that were likely to achieve recognition were those that reflected American society's institutional logic: legal rights ideology. Articulating their formal demands through legal rights ideology, civil rights protestors exposed a series of contradictions -- the most important being the promised privileges of American citizenship and the practice of absolute racial subordination. Rather than using the contradictions to suggest that American citizenship was itself illegitimate or false, civil rights protestors proceeded as if American citizenship were real, and demanded to exercise the “rights” that citizenship entailed. By seeking to restructure reality to reflect American mythology, Blacks relied upon and ultimately benefited from politically inspired efforts to resolve the contradictions by granting formal rights. Although it is the need to maintain legitimacy that presents powerless groups with the opportunity to wrest concessions from the dominant order, it is the very accomplishment of legitimacy that forecloses greater possibilities. In sum, the potential for change is both created and limited by legitimation.

## AT: Wilderson

### 1AR

#### ( ) Permutation do both

#### ( ) Perm do the aff and the alternative in all other instances—double bind: either the alt is strong enough to overcome the link or the impact’s inevitable

#### ( ) Wilderson’s wrong—anti-blackness isn’t ontological—it’s historically contingent and able to change—legal resistance isn’t futile

Hudson ’13 (Peter, professor of political studies – University of the Witwatersrand, “The state and the colonial unconscious,” Social Dynamics: A journal of African studies, Vol. 39, Issue 2, p. 263-277) PO

Thus the self-same/other distinction is necessary for the possibility of identity itself. There always has to exist an outside, which is also inside, to the extent it is designated as the impossibility from which the possibility of the existence of the subject derives its rule (Badiou 2009, 220). But although the excluded place which isn’t excluded insofar as it is necessary for the very possibility of inclusion and identity may be universal (may be considered “ontological”), its content (what fills it) – as well as the mode of this filling and its reproduction – are contingent. In other words, the meaning of the signifier of exclusion is not determined once and for all: the place of the place of exclusion, of death is itself over-determined, i.e. the very framework for deciding the other and the same, exclusion and inclusion, is nowhere engraved in ontological stone but is political and never terminally settled. Put differently, the “curvature of intersubjective space” (Critchley 2007, 61) and thus, the specific modes of the “othering” of “otherness” are nowhere decided in advance (as a certain ontological fatalism might have it) (see Wilderson 2008). The social does not have to be divided into white and black, and the meaning of these signifiers is never necessary – because they are signifiers. To be sure, colonialism institutes an ontological division, in that whites exist in a way barred to blacks – who are not. But this ontological relation is really on the side of the ontic – that is, of all contingently constructed identities, rather than the ontology of the social which refers to the ultimate unfixity, the indeterminacy or lack of the social. In this sense, then, the white man doesn’t exist, the black man doesn’t exist (Fanon 1968, 165); and neither does the colonial symbolic itself, including its most intimate structuring relations – division is constitutive of the social, not the colonial division. “Whiteness” may well be very deeply sediment in modernity itself, but respect for the “ontological difference” (see Heidegger 1962, 26; Watts 2011, 279) shows up its ontological status as ontic. It may be so deeply sedimented that it becomes difficult even to identify the very possibility of the separation of whiteness from the very possibility of order, but from this it does not follow that the “void” of “black being” functions as the ultimate substance, the transcendental signified on which all possible forms of sociality are said to rest. What gets lost here, then, is the specificity of colonialism, of its constitutive axis, its “ontological” differential. A crucial feature of the colonial symbolic is that the real is not screened off by the imaginary in the way it is under capitalism. At the place of the colonised, the symbolic and the imaginary give way because non-identity (the real of the social) is immediately inscribed in the “lived experience” (vécu) of the colonised subject. The colonised is “traversing the fantasy” (Zizek 2006a, 40–60) all the time; the void of the verb “to be” is the very content of his interpellation. The colonised is, in other words, the subject of anxiety for whom the symbolic and the imaginary never work, who is left stranded by his very interpellation.4 “Fixed” into “non-fixity,” he is eternally suspended between “element” and “moment”5 – he is where the colonial symbolic falters in the production of meaning and is thus the point of entry of the real into the texture itself of colonialism. Be this as it may, whiteness and blackness are (sustained by) determinate and contingent practices of signification; the “structuring relation” of colonialism thus itself comprises a knot of significations which, no matter how tight, can always be undone. Anti-colonial – i.e., anti-“white” – modes of struggle are not (just) “psychic” 6 but involve the “reactivation” (or “de-sedimentation”)7 of colonial objectivity itself. No matter how sedimented (or global), colonial objectivity is not ontologically immune to antagonism. Differentiality, as Zizek insists (see Zizek 2012, chapter 11, 771 n48), immanently entails antagonism in that differentiality both makes possible the existence of any identity whatsoever and at the same time – because it is the presence of one object in another – undermines any identity ever being (fully) itself. Each element in a differential relation is the condition of possibility and the condition of impossibility of each other. It is this dimension of antagonism that the Master Signifier covers over transforming its outside (Other) into an element of itself, reducing it to a condition of its possibility.8 All symbolisation produces an ineradicable excess over itself, something it can’t totalise or make sense of, where its production of meaning falters. This is its internal limit point, it’s real:9 an errant “object” that has no place of its own, isn’t recognised in the categories of the system but is produced by it – its “part of no part” or “object small a.”10 Correlative to this object “a” is the subject “stricto sensu” – i.e., as the empty subject of the signifier without an identity that pins it down.11 That is the subject of antagonism in confrontation with the real of the social, as distinct from “subject” position based on a determinate identity.

#### Outweighs—

#### Risk analysis—if there’s a chance change is possible, alt kills any material change

#### Yes change—the CJS sucks, but it’s better than slavery—e.g. at least *some* blacks can vote now, but none could then

#### You can’t derive a ontological claim from empirics—history doesn’t prove that change is *never* possible—no slavery would’ve meant no social death

#### ( ) Turn—Wilderson’s dogmatism forces the black body to embody abjection

Marriott ’12 (David Marriott, “Black Cultural Studies”, Years Work Crit Cult Theory (2012) 20 (1): 37-66) PO

However, this is also not the entire story of Red, White, and Black, as I hope to show. For example, in Chapter One (‘The Structure of Antagonisms’), written as a theoretical introduction, and which opens explicitly on the Fanonian question of why ontology cannot understand the being of the Black, Wilderson is prepared to say that black suffering is not only beyond analogy, it also refigures the whole of being: ‘the essence of being for the White and non-Black position’ is non-niggerness, consequently, ‘[b]eing can thus be thought of, in the first ontological instance, as non-niggerness, and slavery then as niggerness’ (p. 37). It is not hard when reading such sentences to suspect a kind of absolutism at work here, and one that manages to be peculiarly and dispiritingly dogmatic: throughout Red, White, and Black, despite variations in tone and emphasis, there is always the desire to have black lived experience named as the worst, and the politics of such a desire inevitably collapses into a kind of sentimental moralism: for the claim that ‘Blackness is incapacity in its most pure and unadulterated form’ means merely that the black has to embody this abjection without reserve (p. 38). This logic—and the denial of any kind of ‘ontological integrity’ to the Black/Slave due to its endless traversal by force does seem to reduce[s] ontology to logic, namely, a logic of non-recuperability—moves through the following points: (1) Black non-being is not capable of symbolic resistance and, as such, falls outside of any language of authenticity or reparation; (2) for such a subject, which Wilderson persists in calling ‘death’, the symbolic remains foreclosed (p. 43); (3) as such, Blackness is the record of an occlusion which remains ever present: ‘White (Human) capacity, in advance of the event of discrimination or oppression, is parasitic on Black incapacity’ (p. 45); (4) and, as an example of the institutions or discourses involving ‘violence’, ‘antagonisms’ and ‘parasitism’, Wilderson describes White (or non-Black) film theory and cultural studies as incapable of understanding the ‘suffering of the Black—the Slave’ (they cannot do so because they are erroneously wedded to humanism and to the psychoanalysis of Jacques Lacan, which Wilderson takes as two examples of what the Afro-pessimist should avoid) (p. 56); as a corrective, Wilderson calls for a new language of abstraction, and one centrally concerned with exposing ‘the structure of antagonisms between Blacks and Humans’ (p. 68). Reading seems to stop here, at a critique of Lacanian full speech: Wilderson wants to say that Lacan’s notion of the originary (imaginary) alienation of the subject is still wedded to relationality as implied by the contrast between ‘empty’ and ‘full’ speech, and so apparently cannot grasp the trauma of ‘absolute Otherness’ that is the Black’s relation to Whites, because psychoanalysis cannot fathom the ‘structural, or absolute, violence’ of Black life (pp. 74; 75). ‘Whereas Lacan was aware of how language ‘‘precedes and exceeds us’’, he did not have Fanon’s awareness of how violence also precedes and exceeds Blacks’ (p. 76). The violence of such abjection—or incapacity—is therefore that it cannot be communicated or avowed, and is always already delimited by desubjectification and dereliction (p. 77). Whence the suspicion of an ontology reduced to a logic (of abjection). Leaving aside the fact that it is quite mistaken to limit Lacan’s notion of full speech to the search for communication (the unconscious cannot be confined to parole), it is clear that, according to Wilderson’s own ‘logic’, his description of the Black is working, via analogy, to Lacan’s notion of the real but, in his insistence on the Black as an absolute outside Wilderson can only duly reify this void at the heart of universality. The Black is ‘beyond the limit of contingency’—but it is worth saying immediately that this ‘beyond’ is indeed a foreclosure that defines a violence whose traces can only be thought violently (that is, analogically), and whose nonbeing returns as the theme for Wilderson’s political thinking of a non-recuperable abjection. The Black is nonbeing and, as such, is more real and primary than being per se: given how much is at stake, this insistence on a racial metaphysics of injury implies a fundamental irreconcilability between Blacks and Humans (there is really no debate to be had here: irreconcilability is the condition and possibility of what it means to be Black).

#### That

#### Turns & disproves social death—only reinforces dogmatic static notions of identity

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Themba Nixon 2k (Themba-Nixon, Makani. Executive Director of The Praxis Project, Former California Staffer, Colorlines. Oakland: Jul 31, 2000. Vol.3, Iss. 2)

In essence, policies are the codification of power relationships and resource allocation. Policies are the rules of the world we live in. Changing the world means changing the rules. So, if organizing is about changing the rules and building power, how can organizing be separated from policies? Can we really speak truth to power, fight the right, stop corporate abuses, or win racial justice without contesting the rules and the rulers, the policies and the policymakers? The answer is no-and double no for people of color. Today, racism subtly dominates nearly every aspect of policymaking. From ballot propositions to city funding priorities, policy is increasingly about the control, de-funding, and disfranchisement of communities of color. What Do We Stand For? Take the public conversation about welfare reform, for example. Most of us know it isn't really about putting people to work. The right's message was framed around racial stereotypes of lazy, cheating "welfare queens" whose poverty was "cultural." But the new welfare policy was about moving billions of dollars in individual cash payments and direct services from welfare recipients to other, more powerful, social actors. Many of us were too busy to tune into the welfare policy drama in Washington, only to find it washed up right on our doorsteps. Our members are suffering from workfare policies, new regulations, and cutoffs. Families who were barely getting by under the old rules are being pushed over the edge by the new policies. Policy doesn't get more relevant than this. And so we got involved in policy-as defense. Yet we have to do more than block their punches. We have to start the fight with initiatives of our own. Those who do are finding offense a bit more fun than defense alone. Living wage ordinances, youth development initiatives, even gun control and alcohol and tobacco policies are finding their way onto the public agenda, thanks to focused community organizing that leverages power for community-driven initiatives. - Over 600 local policies have been passed to regulate the tobacco industry. Local coalitions have taken the lead by writing ordinances that address local problems and organizing broad support for them. - Nearly 100 gun control and violence prevention policies have been enacted since 1991. - Milwaukee, Boston, and Oakland are among the cities that have passed living wage ordinances: local laws that guarantee higher than minimum wages for workers, usually set as the minimum needed to keep a family of four above poverty. These are just a few of the examples that demonstrate how organizing for local policy advocacy has made inroads in areas where positive national policy had been stalled by conservatives. Increasingly, the local policy arena is where the action is and where activists are finding success. Of course, corporate interests-which are usually the target of these policies-are gearing up in defense. Tactics include front groups, economic pressure, and the tried and true: cold, hard cash. Despite these barriers, grassroots organizing can be very effective at the smaller scale of local politics. At the local level, we have greater access to elected officials and officials have a greater reliance on their constituents for reelection. For example, getting 400 people to show up at city hall in just about any city in the U.S. is quite impressive. On the other hand, 400 people at the state house or the Congress would have a less significant impact. Add to that the fact that all 400 people at city hall are usually constituents, and the impact is even greater. Recent trends in government underscore the importance of local policy. Congress has enacted a series of measures devolving significant power to state and local government. Welfare, health care, and the regulation of food and drinking water safety are among the areas where states and localities now have greater rule. Devolution has some negative consequences to be sure. History has taught us that, for social services and civil rights in particular, the lack of clear federal standards and mechanisms for accountability lead to uneven enforcement and even discriminatory implementation of policies. Still, there are real opportunities for advancing progressive initiatives in this more localized environment. Greater local control can mean greater community power to shape and implement important social policies that were heretofore out of reach. To do so will require careful attention to the mechanics of local policymaking and a clear blueprint of what we stand for. Getting It in Writing Much of the work of framing what we stand for takes place in the shaping of demands. By getting into the policy arena in a proactive manner, we can take our demands to the next level. Our demands can become law, with real consequences if the agreement is broken. After all the organizing, press work, and effort, a group should leave a decisionmaker with more than a handshake and his or her word. Of course, this work requires a certain amount of interaction with "the suits," as well as struggles with the bureaucracy, the technical language, and the all-too-common resistance by decisionmakers. Still, if it's worth demanding, it's worth having in writing-whether as law, regulation, or internal policy. From ballot initiatives on rent control to laws requiring worker protections, organizers are leveraging their power into written policies that are making a real difference in their communities. Of course, policy work is just one tool in our organizing arsenal, but it is a tool we simply can't afford to ignore. Making policy work an integral part of organizing will require a certain amount of retrofitting. We will need to develop the capacity to translate our information, data, and experience into stories that are designed to affect the public conversation. Perhaps most important, we will need to move beyond fighting problems and on to framing solutions that bring us closer to our vision of how things should be. And then we must be committed to making it so.

#### The affirmative is a project of infiltration—universalist prescriptions that isolate ourselves from the institutions that exercise power militates against revolutionary movements—becoming acquainted with the methods of American racist Kangaroo justice is specifically key to develop tactics and strategies for bringing about the end of the world

Williams 69

[Summer 1969, Robert F. Williams was a civil rights leader and author, best known for serving as president of the Monroe, North Carolina chapter of the NAACP in the 1950s and early 1960s. Black Panther Party founder Huey Newton cited Williams’s Negroes with Guns as a major inspiration. “The Deprived: Rebellion in the Streets”, The Crusader, Volume 10, Number 02, <http://freedomarchives.org/Documents/Finder/DOC513_scans/Robert_F_Williams/513.Crusader.Vol.10.2.Summer.1969.pdf>]

INFILTRATE THE MANS INSTITUTIONS: Black youth should not commit the catastrophic error of seeing things simply in black and white. That is, of seeing things as all good or all bad. It is erroneous to think that one can isolate oneself completely from the institutions of a social and political system that exercises power over the environment in which he resides. Self-imposed and pre- mature isolation, initiated by the oppressed against the organs of a tyrannical establishment, militates against revolutionary movements dedicated to radical change. It is a grave error for militant and just-minded youth to reject struggle-serving opportunities to join the mans government services, police forces, armed forces, peace corps and vital organs of the power structure. Militants should become acquainted with the methods of the oppressor. Meaningful change can be more thoroughly effectuated by militant pressure from within as well as without. We can obtain invaluable know-how from the oppressor. Struggle is not all violence. Effective struggle requires tactics, plans, analysis and a highly sophisti- cated application of mental aptness. The forces of oppression and tyranny have perfected a highly articulate system of infiltration for undermining and frustrating the efforts of the oppressed in trying to upset the unjust status quo. To a great extent, the power structure keeps itself informed as to the revolutionary activity of freedom fighters. With the threat of extermination looming menacingly before Black Americans, it is pressingly imperative that our people enter the vital organs of the establishment. FIGHT KANGAROOISM: Inasmuch as the kangaroo court system constitutes a powerful defense arm of tyranny, extensive and vigorous educational work must be done among our people so that when they serve on jury duty they will not become tools of a legal system dedicated to railroading our people to concentration camps disguised as prisons. The kangaroo court system is being widely used to rid racist America of black militants, non-conformists and effective ghetto leadership. These so-called courts are not protecting the human and civil rights of our people; they are not dis- pensing even-handed justice, but are long-standing instruments of terror and intimidation. Black Americans must be inspired to display the same determination in safeguarding the human and civil rights of our oppressed people as white racists are to legally lynch us. No matter how much rigmarole is dished out about black capitalism and minority enterprise, the hard cold fact remains that it is as difficult for a Black American militant to receive justice in America's tyrannical courts as it is for a camel to pass through the eye of a needle. Black people must be brought to see their duty as jurors as an opportunity to right legal wrongs not to perpetrate shameful obeisance to tyranny and racism. Youth should mount a campaign relative to this social evil that will by far ex- ceed the campaign of voter registration.

### 1AR V2

#### 1] Perm do both

#### 2] Perm do the aff and the alternative in all other instances—double bind: either the alt is strong enough to overcome the link or the impact’s inevitable

#### 3] Wilderson’s wrong—anti-blackness isn’t ontological—it’s historically contingent and able to change—legal resistance isn’t futile

Hudson ’13 (Peter, professor of political studies – University of the Witwatersrand, “The state and the colonial unconscious,” Social Dynamics: A journal of African studies, Vol. 39, Issue 2, p. 263-277) PO

Thus the self-same/other distinction is necessary for the possibility of identity itself. There always has to exist an outside, which is also inside, to the extent it is designated as the impossibility from which the possibility of the existence of the subject derives its rule (Badiou 2009, 220). But although the excluded place which isn’t excluded insofar as it is necessary for the very possibility of inclusion and identity may be universal (may be considered “ontological”), its content (what fills it) – as well as the mode of this filling and its reproduction – are contingent. In other words, the meaning of the signifier of exclusion is not determined once and for all: the place of the place of exclusion, of death is itself over-determined, i.e. the very framework for deciding the other and the same, exclusion and inclusion, is nowhere engraved in ontological stone but is political and never terminally settled. Put differently, the “curvature of intersubjective space” (Critchley 2007, 61) and thus, the specific modes of the “othering” of “otherness” are nowhere decided in advance (as a certain ontological fatalism might have it) (see Wilderson 2008). The social does not have to be divided into white and black, and the meaning of these signifiers is never necessary – because they are signifiers. To be sure, colonialism institutes an ontological division, in that whites exist in a way barred to blacks – who are not. But this ontological relation is really on the side of the ontic – that is, of all contingently constructed identities, rather than the ontology of the social which refers to the ultimate unfixity, the indeterminacy or lack of the social. In this sense, then, the white man doesn’t exist, the black man doesn’t exist (Fanon 1968, 165); and neither does the colonial symbolic itself, including its most intimate structuring relations – division is constitutive of the social, not the colonial division. “Whiteness” may well be very deeply sediment in modernity itself, but respect for the “ontological difference” (see Heidegger 1962, 26; Watts 2011, 279) shows up its ontological status as ontic. It may be so deeply sedimented that it becomes difficult even to identify the very possibility of the separation of whiteness from the very possibility of order, but from this it does not follow that the “void” of “black being” functions as the ultimate substance, the transcendental signified on which all possible forms of sociality are said to rest. What gets lost here, then, is the specificity of colonialism, of its constitutive axis, its “ontological” differential. A crucial feature of the colonial symbolic is that the real is not screened off by the imaginary in the way it is under capitalism. At the place of the colonised, the symbolic and the imaginary give way because non-identity (the real of the social) is immediately inscribed in the “lived experience” (vécu) of the colonised subject. The colonised is “traversing the fantasy” (Zizek 2006a, 40–60) all the time; the void of the verb “to be” is the very content of his interpellation. The colonised is, in other words, the subject of anxiety for whom the symbolic and the imaginary never work, who is left stranded by his very interpellation.4 “Fixed” into “non-fixity,” he is eternally suspended between “element” and “moment”5 – he is where the colonial symbolic falters in the production of meaning and is thus the point of entry of the real into the texture itself of colonialism. Be this as it may, whiteness and blackness are (sustained by) determinate and contingent practices of signification; the “structuring relation” of colonialism thus itself comprises a knot of significations which, no matter how tight, can always be undone. Anti-colonial – i.e., anti-“white” – modes of struggle are not (just) “psychic” 6 but involve the “reactivation” (or “de-sedimentation”)7 of colonial objectivity itself. No matter how sedimented (or global), colonial objectivity is not ontologically immune to antagonism. Differentiality, as Zizek insists (see Zizek 2012, chapter 11, 771 n48), immanently entails antagonism in that differentiality both makes possible the existence of any identity whatsoever and at the same time – because it is the presence of one object in another – undermines any identity ever being (fully) itself. Each element in a differential relation is the condition of possibility and the condition of impossibility of each other. It is this dimension of antagonism that the Master Signifier covers over transforming its outside (Other) into an element of itself, reducing it to a condition of its possibility.8 All symbolisation produces an ineradicable excess over itself, something it can’t totalise or make sense of, where its production of meaning falters. This is its internal limit point, it’s real:9 an errant “object” that has no place of its own, isn’t recognised in the categories of the system but is produced by it – its “part of no part” or “object small a.”10 Correlative to this object “a” is the subject “stricto sensu” – i.e., as the empty subject of the signifier without an identity that pins it down.11 That is the subject of antagonism in confrontation with the real of the social, as distinct from “subject” position based on a determinate identity.

#### Outweighs—

#### Risk analysis—if there’s a chance change is possible, alt kills any material change

#### Yes change—the CJS sucks, but it’s better than slavery—e.g. at least *some* blacks can vote now, but none could then

#### You can’t derive a ontological claim from empirics—history doesn’t prove that change is *never* possible—no slavery would’ve meant no social death

#### 4] Turn—Wilderson’s dogmatism forces the black body to embody abjection

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However, this is also not the entire story of Red, White, and Black, as I hope to show. For example, in Chapter One (‘The Structure of Antagonisms’), written as a theoretical introduction, and which opens explicitly on the Fanonian question of why ontology cannot understand the being of the Black, Wilderson is prepared to say that black suffering is not only beyond analogy, it also refigures the whole of being: ‘the essence of being for the White and non-Black position’ is non-niggerness, consequently, ‘[b]eing can thus be thought of, in the first ontological instance, as non-niggerness, and slavery then as niggerness’ (p. 37). It is not hard when reading such sentences to suspect a kind of absolutism at work here, and one that manages to be peculiarly and dispiritingly dogmatic: throughout Red, White, and Black, despite variations in tone and emphasis, there is always the desire to have black lived experience named as the worst, and the politics of such a desire inevitably collapses into a kind of sentimental moralism: for the claim that ‘Blackness is incapacity in its most pure and unadulterated form’ means merely that the black has to embody this abjection without reserve (p. 38). This logic—and the denial of any kind of ‘ontological integrity’ to the Black/Slave due to its endless traversal by force does seem to reduce[s] ontology to logic, namely, a logic of non-recuperability—moves through the following points: (1) Black non-being is not capable of symbolic resistance and, as such, falls outside of any language of authenticity or reparation; (2) for such a subject, which Wilderson persists in calling ‘death’, the symbolic remains foreclosed (p. 43); (3) as such, Blackness is the record of an occlusion which remains ever present: ‘White (Human) capacity, in advance of the event of discrimination or oppression, is parasitic on Black incapacity’ (p. 45); (4) and, as an example of the institutions or discourses involving ‘violence’, ‘antagonisms’ and ‘parasitism’, Wilderson describes White (or non-Black) film theory and cultural studies as incapable of understanding the ‘suffering of the Black—the Slave’ (they cannot do so because they are erroneously wedded to humanism and to the psychoanalysis of Jacques Lacan, which Wilderson takes as two examples of what the Afro-pessimist should avoid) (p. 56); as a corrective, Wilderson calls for a new language of abstraction, and one centrally concerned with exposing ‘the structure of antagonisms between Blacks and Humans’ (p. 68). Reading seems to stop here, at a critique of Lacanian full speech: Wilderson wants to say that Lacan’s notion of the originary (imaginary) alienation of the subject is still wedded to relationality as implied by the contrast between ‘empty’ and ‘full’ speech, and so apparently cannot grasp the trauma of ‘absolute Otherness’ that is the Black’s relation to Whites, because psychoanalysis cannot fathom the ‘structural, or absolute, violence’ of Black life (pp. 74; 75). ‘Whereas Lacan was aware of how language ‘‘precedes and exceeds us’’, he did not have Fanon’s awareness of how violence also precedes and exceeds Blacks’ (p. 76). The violence of such abjection—or incapacity—is therefore that it cannot be communicated or avowed, and is always already delimited by desubjectification and dereliction (p. 77). Whence the suspicion of an ontology reduced to a logic (of abjection). Leaving aside the fact that it is quite mistaken to limit Lacan’s notion of full speech to the search for communication (the unconscious cannot be confined to parole), it is clear that, according to Wilderson’s own ‘logic’, his description of the Black is working, via analogy, to Lacan’s notion of the real but, in his insistence on the Black as an absolute outside Wilderson can only duly reify this void at the heart of universality. The Black is ‘beyond the limit of contingency’—but it is worth saying immediately that this ‘beyond’ is indeed a foreclosure that defines a violence whose traces can only be thought violently (that is, analogically), and whose nonbeing returns as the theme for Wilderson’s political thinking of a non-recuperable abjection. The Black is nonbeing and, as such, is more real and primary than being per se: given how much is at stake, this insistence on a racial metaphysics of injury implies a fundamental irreconcilability between Blacks and Humans (there is really no debate to be had here: irreconcilability is the condition and possibility of what it means to be Black).

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#### The affirmative is a project of infiltration—universalist prescriptions that isolate ourselves from the institutions that exercise power militates against revolutionary movements—becoming acquainted with the methods of American racist Kangaroo justice is specifically key to develop tactics and strategies for bringing about the end of the world

Williams 69

[Summer 1969, Robert F. Williams was a civil rights leader and author, best known for serving as president of the Monroe, North Carolina chapter of the NAACP in the 1950s and early 1960s. Black Panther Party founder Huey Newton cited Williams’s Negroes with Guns as a major inspiration. “The Deprived: Rebellion in the Streets”, The Crusader, Volume 10, Number 02, <http://freedomarchives.org/Documents/Finder/DOC513_scans/Robert_F_Williams/513.Crusader.Vol.10.2.Summer.1969.pdf>]

INFILTRATE THE MANS INSTITUTIONS: Black youth should not commit the catastrophic error of seeing things simply in black and white. That is, of seeing things as all good or all bad. It is erroneous to think that one can isolate oneself completely from the institutions of a social and political system that exercises power over the environment in which he resides. Self-imposed and pre- mature isolation, initiated by the oppressed against the organs of a tyrannical establishment, militates against revolutionary movements dedicated to radical change. It is a grave error for militant and just-minded youth to reject struggle-serving opportunities to join the mans government services, police forces, armed forces, peace corps and vital organs of the power structure. Militants should become acquainted with the methods of the oppressor. Meaningful change can be more thoroughly effectuated by militant pressure from within as well as without. We can obtain invaluable know-how from the oppressor. Struggle is not all violence. Effective struggle requires tactics, plans, analysis and a highly sophisti- cated application of mental aptness. The forces of oppression and tyranny have perfected a highly articulate system of infiltration for undermining and frustrating the efforts of the oppressed in trying to upset the unjust status quo. To a great extent, the power structure keeps itself informed as to the revolutionary activity of freedom fighters. With the threat of extermination looming menacingly before Black Americans, it is pressingly imperative that our people enter the vital organs of the establishment. FIGHT KANGAROOISM: Inasmuch as the kangaroo court system constitutes a powerful defense arm of tyranny, extensive and vigorous educational work must be done among our people so that when they serve on jury duty they will not become tools of a legal system dedicated to railroading our people to concentration camps disguised as prisons. The kangaroo court system is being widely used to rid racist America of black militants, non-conformists and effective ghetto leadership. These so-called courts are not protecting the human and civil rights of our people; they are not dis- pensing even-handed justice, but are long-standing instruments of terror and intimidation. Black Americans must be inspired to display the same determination in safeguarding the human and civil rights of our oppressed people as white racists are to legally lynch us. No matter how much rigmarole is dished out about black capitalism and minority enterprise, the hard cold fact remains that it is as difficult for a Black American militant to receive justice in America's tyrannical courts as it is for a camel to pass through the eye of a needle. Black people must be brought to see their duty as jurors as an opportunity to right legal wrongs not to perpetrate shameful obeisance to tyranny and racism. Youth should mount a campaign relative to this social evil that will by far ex- ceed the campaign of voter registration.

#### Invoking social death as inevitable inscribes ontological pessimism – denies agency to the oppressed and ignores the history of resistance

Vincent Brown, Professor of History and African and African-American Studies at Harvard University, December 2009, "Social Death and Political Life in the Study of Slavery," American Historical Review, p. 1231-1249

Specters of the Atlantic is a compellingly sophisticated study of the relation be- tween the epistemologies underwriting both modern slavery and modern capitalism, but the book’s discussion of the politics of anti-slavery is fundamentally incomplete. While Baucom brilliantly traces the development of “melancholy realism” as an op- positional discourse that ran counter to the logic of slavery and finance capital, he has very little to say about the enslaved themselves. Social death, so well suited to the tragic perspective, stands in for the experience of enslavement. While this heightens the reader’s sense of the way Atlantic slavery haunts the present, Baucom largely fails to acknowledge that the enslaved performed melancholy acts of accounting not unlike those that he shows to be a fundamental component of abolitionist and human rights discourses, or that those acts could be a basic element of slaves’ oppositional activities. In many ways, the effectiveness of his text depends upon the silence of slaves—it is easier to describe the continuity of structures of power when one down- plays countervailing forces such as the political activity of the weak. So Baucom’s deep insights into the structural features of Atlantic slave trading and its afterlife come with a cost. Without engagement with the politics of the enslaved, slavery’s history serves as an effective charge leveled against modernity and capitalism, but not as an uneven and evolving process of human interaction, and certainly not as a locus of conflict in which the enslaved sometimes won small but important victories.11 Specters of the Atlantic is self-consciously a work of theory (despite Baucom’s prodigious archival research), and social death may be largely unproblematic as a matter of theory, or even law. In these arenas, as David Brion Davis has argued, “the slave has no legitimate, independent being, no place in the cosmos except as an instrument of her or his master’s will.”12 But the concept often becomes a general description of actual social life in slavery. Vincent Carretta, for example, in his au- thoritative biography of the abolitionist writer and former slave Olaudah Equiano, agrees with Patterson that because enslaved Africans and their descendants were “stripped of their personal identities and history, [they] were forced to suffer what has been aptly called ‘social death.’ ” The self-fashioning enabled by writing and print “allowed Equiano to resurrect himself publicly” from the condition that had been imposed by his enslavement.13 The living conditions of slavery in eighteenth-century Jamaica, one slave society with which Equiano had experience, are described in rich detail in Trevor Burnard’s unflinching examination of the career of Thomas Thistle- wood, an English migrant who became an overseer and landholder in Jamaica, and who kept a diary there from 1750 to 1786. Through Thistlewood’s descriptions of his life among slaves, Burnard glimpses a “world of uncertainty,” where the enslaved were always vulnerable to repeated depredations that actually led to “significant slave dehumanization as masters sought, with considerable success, to obliterate slaves’ personal histories.” Burnard consequently concurs with Patterson: “slavery completely stripped slaves of their cultural heritage, brutalized them, and rendered ordinary life and normal relationships extremely difficult.”14 This was slavery, after all, and much more than a transfer of migrants from Africa to America.15 Yet one wonders, after reading Burnard’s indispensable account, how slaves in Jamaica or- ganized some of British America’s greatest political events during Thistlewood’s time and after, including the Coromantee Wars of the 1760s, the 1776 Hanover conspiracy, and the Baptist War of 1831–1832. Surely they must have found some way to turn the “disorganization, instability, and chaos” of slavery into collective forms of belonging and striving, making connections when confronted with alien- ation and finding dignity in the face of dishonor. Rather than pathologizing slaves by allowing the condition of social death to stand for the experience of life in slavery, then, it might be more helpful to focus on what the enslaved actually made of their situation. Among the most insightful texts to explore the experiential meaning of Afro- Atlantic slavery (for both the slaves and their descendants) are two recent books by Saidiya Hartman and Stephanie Smallwood. Rather than eschewing the concept of social death, as might be expected from writing that begins by considering the per- spective of the enslaved, these two authors use the idea in penetrating ways. Hart- man’s Lose Your Mother: A Journey along the Atlantic Slave Route and Smallwood’s Saltwater Slavery: A Middle Passage from Africa to American Diaspora extend social death beyond a general description of slavery as a condition and imagine it as an experience of self. Here both the promise and the problem with the concept are most fully apparent.16 Both authors seek a deeper understanding of the experience of enslavement and its consequences for the past, present, and future of black life than we generally find in histories of slavery. In Hartman’s account especially, slavery is not only an object of study, but also the focus of a personal memoir. She travels along a slave route in Ghana, from its coastal forts to the backcountry hinterlands, symbolically reversing the first stage of the trek now commonly called the Middle Passage. In searching prose, she meditates on the history of slavery in Africa to explore the precarious nature of belonging to the social category “African American.” Rendering her re- markable facility with social theory in elegant and affective terms, Hartman asks the question that nags all identities, but especially those forged by the descendants of slaves: What identifications, imagined affinities, mythical narratives, and acts of re- membering and forgetting hold the category together? Confronting her own alienation from any story that would yield a knowable genealogy or a comfortable identity, Hartman wrestles with what it means to be a stranger in one’s putative motherland, to be denied country, kin, and identity, and to forget one’s past—to be an orphan.17 Ultimately, as the title suggests, Lose Your Mother is an injunction to accept dis- possession as the basis of black self-definition. Such a judgment is warranted, in Hartman’s account, by the implications of social death both for the experience of enslavement and for slavery’s afterlife in the present. As Patterson delineated in sociological terms the death of social personhood and the reincorporation of individuals into slavery, Hartman sets out on a personal quest to “retrace the process by which lives were destroyed and slaves born.”18 When she contends with what it meant to be a slave, she frequently invokes Patterson’s idiom: “Seized from home, sold in the market, and severed from kin, the slave was for all intents and purposes dead, no less so than had he been killed in combat. No less so than had she never belonged to the world.” By making men, women, and children into commodities, enslavement destroyed lineages, tethering people to own- ers rather than families, and in this way it “annulled lives, transforming men and women into dead matter, and then resuscitated them for servitude.” Admittedly, the enslaved “lived and breathed, but they were dead in the social world of men.”19 As it turns out, this kind of alienation is also part of what it presently means to be African American. “The transience of the slave’s existence,” for example, still leaves its traces in how black people imagine and speak of home: We never tire of dreaming of a place that we can call home, a place better than here, wherever here might be . . . We stay there, but we don’t live there . . . Staying is living in a country without exercising any claims on its resources. It is the perilous condition of existing in a world in which you have no investments. It is having never resided in a place that you can say is yours. It is being “of the house” but not having a stake in it. Staying implies transient quarters, a makeshift domicile, a temporary shelter, but no attachment or affiliation. This sense of not belonging and of being an extraneous element is at the heart of slavery.20 “We may have forgotten our country,” Hartman writes, “but we haven’t forgotten our dispossession.”21 Like Baucom, Hartman sees the history of slavery as a constituent part of a tragic present. Atlantic slavery continues to be manifested in black people’s skewed life chances, poor education and health, and high rates of incarceration, poverty, and premature death. Disregarding the commonplace temporalities of professional historians, whose literary conventions are generally predicated on a formal distinction between past, present, and future, Hartman addresses slavery as a problem that spans all three. The afterlife of slavery inhabits the nature of belonging, which in turn guides the “freedom dreams” that shape prospects for change. “If slavery persists as an issue in the political life of black America,” she writes, “it is not because of an antiquated obsession with bygone days or the burden of a too-long memory, but because black lives are still imperiled and devalued by a racial calculus and a political arithmetic that were entrenched centuries ago.”22 A professor of English and comparative literature, Hartman is in many respects in a better position than most historians to understand events such as the funeral aboard the Hudibras. This is because for all of her evident erudition, her scholarship is harnessed not so much to a performance of mastery over the facts of what hap- pened, which might substitute precision for understanding, as to an act of mourning, even yearning. She writes with a depth of introspection and personal anguish that is transgressive of professional boundaries but absolutely appropriate to the task. Reading Hartman, one wonders how a historian could ever write dispassionately about slavery without feeling complicit and ashamed. For dispassionate accounting—exemplified by the ledgers of slave traders—has been a great weapon of the powerful, an episteme that made the grossest violations of personhood acceptable, even necessary. This is the kind of bookkeeping that bore fruit upon the Zong. “It made it easier for a trader to countenance yet another dead black body or for a captain to dump a shipload of captives into the sea in order to collect the insurance, since it wasn’t possible to kill cargo or to murder a thing already denied life. Death was simply part of the workings of the trade.” The archive of slavery, then, is “a mortuary.” Not content to total up the body count, Hartman offers elegy, echoing in her own way the lamentations of the women aboard the Hudibras. Like them, she is concerned with the dead and what they mean to the living. “I was desperate to reclaim the dead,” she writes, “to reckon with the lives undone and obliterated in the making of human commodities.”23 It is this mournful quality of Lose Your Mother that elevates it above so many histories of slavery, but the same sense of lament seems to require that Hartman overlook small but significant political victories like the one described by Butter- worth. Even as Hartman seems to agree with Paul Gilroy on the “value of seeing the consciousness of the slave as involving an extended act of mourning,” she remains so focused on her own commemorations that her text makes little space for a consideration of how the enslaved struggled with alienation and the fragility of belonging, or of the mourning rites they used to confront their condition.24 All of the ques- tions she raises about the meaning of slavery in the present—both highly personal and insistently political—might as well be asked about the meaning of slavery to slaves themselves, that is, if one begins by closely examining their social and political lives rather than assuming their lack of social being. Here Hartman is undone by her reliance on Orlando Patterson’s totalizing definition of slavery. She asserts that “no solace can be found in the death of the slave, no higher ground can be located, no perspective can be found from which death serves a greater good or becomes any- thing other than what it is.”25 If she is correct, the events on the Hudibras were of negligible importance. And indeed, Hartman’s understandable emphasis on the personal damage wrought by slavery encourages her to disavow two generations of social history that have demonstrated slaves’ remarkable capacity to forge fragile com- munities, preserve cultural inheritance, and resist the predations of slaveholders. This in turn precludes her from describing the ways that violence, dislocation, and death actually generate culture, politics, and consequential action by the enslaved.26 This limitation is particularly evident in a stunning chapter that Hartman calls “The Dead Book.” Here she creatively reimagines the events that occurred on the voyage of the slave ship Recovery, bound, like the Hudibras, from the Bight of Biafra to Grenada, when Captain John Kimber hung an enslaved girl naked from the mizzen stay and beat her, ultimately to her death, for being “sulky”: she was sick and could not dance when so ordered. As Hartman notes, the event would have been unre- markable had not Captain Kimber been tried for murder on the testimony of the ship’s surgeon, a brief transcript of the trial been published, and the woman’s death been offered up as allegory by the abolitionist William Wilberforce and the graphic satirist Isaac Cruikshank. Hartman re-creates the murder and the surge of words it inspired, representing the perspectives of the captain, the surgeon, and the aboli tionist, for each of whom the girl was a cipher “outfitted in a different guise,” and then she puts herself in the position of the victim, substituting her own voice for the unknowable thoughts of the girl. Imagining the experience as her own and wistfully representing her demise as a suicide—a final act of agency—Hartman hopes, by this bold device, to save the girl from oblivion. Or perhaps her hope is to prove the impossibility of ever doing so, because by failing, she concedes that the girl cannot be put to rest. It is a compelling move, but there is something missing. Hartman discerns a convincing subject position for all of the participants in the events sur- rounding the death of the girl, except for the other slaves who watched the woman die and carried the memory with them to the Americas, presumably to tell others, plausibly even survivors of the Hudibras, who must have drawn from such stories a basic perspective on the history of the Atlantic world. For the enslaved spectators, Hartman imagines only a fatalistic detachment: “The women were assembled a few feet away, but it might well have been a thousand. They held back from the girl, steering clear of her bad luck, pestilence, and recklessness. Some said she had lost her mind. What could they do, anyway? The women danced and sang as she lay dying.” Hartman ends her odyssey among the Gwolu, descendants of peoples who fled the slave raids and who, as communities of refugees, shared her sense of dispos- session. “Newcomers were welcome. It didn’t matter that they weren’t kin because genealogy didn’t matter”; rather, “building community did.” Lose Your Mother con- cludes with a moving description of a particular one of their songs, a lament for those who were lost, which resonated deeply with her sense of slavery’s meaning in the present. And yet Hartman has more difficulty hearing similar cries intoned in the past by slaves who managed to find themselves.27 Saltwater Slavery has much in common with Lose Your Mother. Smallwood’s study of the slave trade from the Gold Coast to the British Americas in the late seventeenth and early eighteenth centuries likewise redeems the experience of the people traded like so many bolts of cloth, “who were represented merely as ciphers in the political arithmetic,” and therefore “feature in the documentary record not as subjects of a social history but as objects or quantities.”28 Each text offers a penetrating analysis of the market logic that turned people into goods. Both books work with the concept of social death. However, Smallwood examines the problem of social death for the enslaved even more closely than Hartman does.29 Like Hartman, Smallwood sees social death as a by-product of commodification. “If in the regime of the market Africans’ most socially relevant feature was their exchangeability,” she argues, “for Africans as immigrants the most socially relevant feature was their isolation, their desperate need to restore some measure of social life to counterbalance the alienation engendered by their social death.” But Small- wood’s approach is different in a subtle way. Whereas for Hartman, as for others, social death is an accomplished state of being, Smallwood veers between a notion of social death as an actual condition produced by violent dislocation and social death as a compelling threat. On the one hand, she argues, captivity on the Atlantic littoral was a social death. Exchangeable persons “inhabited a new category of mar- ginalization, one not of extreme alienation within the community, but rather of ab- solute exclusion from any community.” She seems to accept the idea of enslaved commodities as finished products for whom there could be no socially relevant relationships: “the slave cargo constituted the antithesis of community.” Yet elsewhere she contends that captives were only “menaced” with social death. “At every point along the passage from African to New World markets,” she writes, “we find a stark contest between slave traders and slaves, between the traders’ will to commodify people and the captives’ will to remain fully recognizable as human subjects.”30 Here, I think, Smallwood captures the truth of the idea: social death was a receding ho- rizon—the farther slaveholders moved toward the goal of complete mastery, the more they found that struggles with their human property would continue, even into the most elemental realms: birth, hunger, health, fellowship, sex, death, and time. If social death did not define the slaves’ condition, it did frame their vision of apocalypse. In a harrowing chapter on the meaning of death (that is, physical death) during the Atlantic passage, Smallwood is clear that the captives could have no frame of reference for the experience aboard the slave ships, but she also shows how des- perate they were to make one. If they could not reassemble some meaningful way to map their social worlds, “slaves could foresee only further descent into an endless purgatory.” The women aboard the Hudibras were not in fact the living dead; they were the mothers of gasping new societies. Their view of the danger that confronted them made their mourning rites vitally important, putting these at the center of the women’s emerging lives as slaves—and as a result at the heart of the struggles that would define them. As Smallwood argues, this was first and foremost a battle over their presence in time, to define their place among ancestors, kin, friends, and future progeny. “The connection Africans needed was a narrative continuity between past and present—an epistemological means of connecting the dots between there and here, then and now, to craft a coherent story out of incoherent experience.” That is precisely what the women on the Hudibras fought to accomplish.31

#### Optimism and solidarity are our only hope---their strategy of negativity accepts the foundational premises of racism as its starting point for politics

bell hooks 96, *Killing Rage: Ending Racism*, Google Books, 269-272

269More than ever before in our history, black Americans are succumbing to and internalizing the racist assumption that there can be no meaningful bonds of intimacy between blacks and whites. It is fascinating to explore why it is that black people trapped in the worst situation of racial oppres sion—enslavement—had the foresight to see that it would be disempowering for them to lose sight of the capacity of white people to transform themselves and divest of white supremacy, even as many black folks today who in no way suffer such extreme racist oppression and exploitation are convinced that white people will not repudiate racism. Con temporary black folks, like their white counterparts, have passively accepted the internalization of white supremacist assumptions. Organized white supremacists have always taught that there can never be trust and intimacy between the superior white race and the inferior black race. When black people internalize these sentiments, no resistance to white supremacy is taking place; rather we become complicit in spreading racist notions. It does not matter that so many black people feel white people will never repudiate racism because of being daily assaulted by white denial and refusal of accountability. We must not allow the actions of white folks who blindly endorse racism to determine the direction of our resistance. Like our white allies in struggle we must consistently keep the faith, by always sharing the truth that 270white people can be anti-racist, that racism is not some immutable character flaw.

Of course many white people are comfortable with a rhetoric of race that suggests racism cannot be changed, that all white people are “inherently racist” simply because they are born and raised in this society. Such misguided thinking socializes white people both to remain ignorant of the way in which white supremacist attitudes are learned and to assume a posture of learned helplessness as though they have no agency—no capacity to resist this thinking. Luckily we have many autobiographies by white folks committed to anti-racist struggle that provide documentary testimony that many of these individuals repudiated racism when they were children. Far from passively accepting It as inherent, they instinctively felt it was wrong. Many of them witnessed bizarre acts of white racist aggression towards black folks in everyday life and responded to the injustice of the situation. Sadly, in our times so many white folks are easily convinced by racist whites and bLack folks who have internalized racism that they can never be really free of racism.

These feelings aíso then obsc]re the reality of white privi lege. As long as white folks are taught to accept racism as ‘natura]” then they do not have to see themselves as con sciously creating a racist society by their actions, by their political choices. This means as well that they do not have to face the way in which acting in a racist manner ensures the maintenance of white privilege. Indeed, denying their agency allows them to believe white privilege does not exist even as they daily exercise it. If the young white woman who had been raped had chosen to hold all black males account able for what happened, she would have been exercising white privilege and reinforcing the structure of racist thought which teaches that all black people are alike. Unfortunately,

271so many white people are eager to believe racism cannot be changed because internalizing that assumption downplays the issue of accountability. No responsibility need be taken for not changing something ¡fit is perceived as immutable. To accept racism as a system of domination that can be changed would demand that everyone who sees him- or herself as embracing a vision of radai social equality would be required to assert anti-racist habits of being. We know from histories both present and past that white people (and everyone else) who commit themselves to living in anti-racist ways need to make sacrifices, to courageously endure the uncomfortable to challenge and change.

Whites, people of color, and black folks are reluctant to commit themselves fully and deeply to an anti-racist struggle that is ongoing because there is such a pervasive feeling of hopelessness—a conviction that nothing will ever change. How any of us can continue to hold those feelings when we study the history of racism in this society and see how much has changed makes no logical sense. Clearly we have not gone far enough. In the late sixties, Martin Luther King posed the question “Where do we go from here.” To live in anti-racist society we must collectively renew our commitment to a democratic vision of racial justice and equality. Pursuing that vision we create a culture where beloved community flourishes and is sustained. Those of us who know the joy of being with folks from all walks of life, all races, who are fundamentalls’ anti-racist in their habits of being. need to give public testimony. Ve need to share not only what we have experienced but the conditions of change that make such an experience possible. The interracial circle of love that I know can happen because each individual present in it has made his or her own commitment to living an anti- racist life and to furthering the struggle to end white supremacy 272 will become a reality for everyone only if those of us who have created these communities share how they emerge in our lives and the strategies we use to sustain them. Our devout commitment to building diverse communities is cen tral. These commitments to anti-racist living are just one expression of who we are and what we share with one an other but they form the foundation of that sharing. Like all beloved communities we affirm our differences. It is this generous spirit of affirmation that gives us the courage to challenge one another, to work through misunderstandings, especially those that have to do with race and racism. In a beloved community solidarity and trust are grounded in profound commitment to a shared vision. Those of us who are always anti-racist long for a world in which evezyone can form a beloved community where borders can be crossed and cultural hybridity celebrated. Anyone can begin to make such a community by truly seeking to live in an anti-racist world. If that longing guides our vision and our actions, the new culture will be born and anti-racist communities of resis tance will emerge everywhere. That is where we must go from here.

### AT: White People

#### You should lose for running afro-pessimism –you have no relevant experience, only reducing black people to objects of your white gaze

Evans ’15 (Rashad, Rashad Evans coached the only college debate team to ever win both the National Debate Tournament (NDT) and Cross Examination Debate Association (CEDA) national championships in the same season. Mr. Evans has successfully coached both high school and college debaters and across all levels of debate including novice, junior varsity and open. As a competitor, Mr. Evans was a national champion debater at the University of West Georgia, winning the CEDA National Debate Championship as a sophomore in college. He also reached the semifinals of the NDT and the late elimination rounds of all major college debate tournaments. While in college, Mr. Evans was selected by the American Debate Association to train high school and college debaters in Russia, Romania, Ukraine and Moldova. As a high school debater, Mr. Evans was named the best individual speaker at the prestigious Barkeley Forum debate tournament at Emory University. In between winning a national championship and coaching a national championship, Mr. Evans attended and graduated from the University of Pennsylvania Law School, where he was also a legal writing instructor. He practiced corporate law for several years in New York City and now brings this depth of experience and training to the classroom and debate tournaments….Mr. Evans has significant coaching experience spanning 15 years. He has served as Director of Debate at the University of Florida, UC-Irvine, Washington University at St. Louis and Western Connecticut State University. Mr. Evans has also served as a contract coach for many other universities including Rutgers University, University of Oklahoma, University of Vermont, University of Puget Sound and Emporia State University. Mr. Evans has also taught at many of the top summer debate camps including at the University of Michigan, UC-Berkeley, Columbia University, Wake Forest University, Emory University and University of Missouri at Kansas City. He has also worked with students from several Urban Debate Leagues including Jersey, New York, Atlanta, Kansas City and Baltimore. “On White Afro-pessimism” http://fivefouraff.com/2015/08/21/on-white-afro-pessimism/)

**Afropessimism is** nothing if not **an affirmation of blackness**. It includes a negation of the world, but it is principally an affirming argument. **For Black people. A white afropessimist makes no sense. White afropessimism is just anti-blackness. If you are a white afro-pessimist you should understand that your existence is complicit in violence against Black people and/or that your non-existence is a necessity to Black liberation. Under no circumstances should you understand your role to be to spread the gospel of pessimism further. Your engagement with the argument will always be theoretical (you have no relevant experience), redundant (you can never be additive to this conversation) and objectifying (reducing black people to objects of study).** Afropessimism is an argument about why **Black people should be the** the **subjects of the** the **debate**. It is about how **Black people are always already the subject of all debates but excluded from them as such. It is not about white people**. All of this assumes that **we are taking the argument seriously and not speaking in metaphorical terms**, something Eve Tuck warns against in the context of settler colonialism. Both the Settler Colonialism and Black Nihilism arguments rely significantly on Fanon. And Fanon’s main point is that the native/colonialist and/or black/white cannot coexist. In practical terms, this meant that Black liberation in Africa required a violent war to the end. It’s an either/or life or death choice for both sides. But, understanding that anti-black violence is foundational is to understand that you have to fight back in literal terms. To end the world is to end the world. I am not certain that debaters fully understand the implications of such. If the students in my lab understood this they would have found the Black Nihilism argument as difficult as the Settler Colonialism argument. But they did not, partially because they were introduced to the argument from the perspective of Gramsci and a theory of civil society and not from Fanon and everyday anti-Black violence, but also because I didn’t take the time to explain the argument fully. **Under no circumstances should non-Black debaters be taught to advocate for afro-pessimism** from a non-Black person. And under no circumstances should two white boys think they have a better shot flipping negative and running afropessimism than reading their own Aff (something I had to explain before a quarters debate at the camp tournament). **When that happens something has gone wrong**.

## AT: Prison Abolition

### See AT: Racism

### AT: Abolition Alt

#### Is crime non-existent in your world? Can some things be banned from being obtained – This has to be a k about discriminatory enforcement – which.

#### Short term efforts to reduce incarceration is an effective combination of critique, action, and goals that holds reform and abolition in creative tension in order to maintain the advantages of both—we aren’t reformism, but non-reformist reforms towards abolition

Berger 13 [2013, Dan Berger is an Assistant Professor at the University of Washington Bothell, “Social Movements and Mass Incarceration: What is To Be Done?”, Souls: A Critical Journal of Black Politics, Culture, and Society, Volume 15, Issue 1-2, 2013, pages 3-18]

The strategy of decarceration combines radical critique, direct action, and tangible goals for reducing the reach of the carceral state. It is a coalitional strategy that works to shrink the prison system through a combination of pragmatic demands and far-reaching, open-ended critique. It is reform in pursuit of abolition. Indeed, decarceration allows a strategic launch pad for the politics of abolition, providing what has been an exciting but abstract framework with a course of action. 32 Rather than juxtapose pragmatism and radicalism, as has so often happened in the realm of radical activism, the strategy of decarceration seeks to hold them in creative tension. It is a strategy in the best tradition of the black freedom struggle. It is a strategy that seeks to take advantage of political conditions without sacrificing its political vision. Today we are in a moment where it is possible, in the words of an organizer whose work successfully closed Illinois's infamous supermax prison Tamms in January 2013, to confront prisons as both an economic and a moral necessity. 33 Prisons bring together diverse forms of oppression across race, class, gender, sexuality, citizenship status, HIV status and beyond. The movements against them, therefore, will need to bring together diverse communities of resistance. They will need to unite people across a range of issues, identities, and sectors. That is the coalition underlying groups such as Californians United for a Responsible Budget (CURB), the Nation Inside initiative, and Decarcerate PA. The fight against prisons is both a targeted campaign and a broad-based struggle for social justice. These movements must include the leadership by those directly affected while at the same work to understand that prisons affect us all. This message is the legacy of prison rebellions from Attica in 1971 to Pelican Bay in 2012. The challenge is to maintain the aspirational elements of that message while at the same time translating it into a political program. Decarceration, therefore, works not only to shrink the prison system but to expand community cohesion and maximize what can only be called freedom. Political repression and mass incarceration are joined at the hip. The struggles against austerity, carcerality, and social oppression, the struggles for restorative and transformative justice, for grassroots empowerment and social justice must be equally interconnected. For it is only when the movement against prisons is as interwoven in the social fabric of popular resistance as the expansion of prisons has been stitched into the wider framework of society that we might hope to supplant the carceral state. There are many obstacles on the path toward decarceration; the existence of a strategy hardly guarantees its success. Until now, I have focused largely on the challenges internal to the movement, but there are even taller hurdles to jump in encountering (much less transforming) the deeply entrenched carceral state. Perhaps the biggest challenge, paradoxically, comes from the growing consensus, rooted in the collective fiscal troubles of individual states, that there is a need for prison reform. In that context, a range of politicians, think tanks, and nonprofit organizations—from Right on Crime to the Council on State Governments and the Pew Charitable Trusts—have offered a spate of neoliberal reforms that trumpet free market solutions, privatization, or shifting the emphasis away from prisons but still within the power of the carceral state. Examples include the “Justice Reinvestment” processes utilized by states such as Texas and Pennsylvania that have called for greater funding to police and conservative victim's rights advocates while leaving untouched some of the worst elements of excessive punishment. These neoliberal reforms can also be found in the sudden burst of attention paid to “reentry services” that are not community-led and may be operated by private, conservative entities. 34 Perhaps the grandest example can be found in California, where a Supreme Court ruling that overcrowding in the state's prisons constituted cruel and unusual punishment has been met with a proposal for “realignment,” that shifts the burden from state prisons to county jails. 35 A combination of institutional intransigence and ideological commitment to punish makes the road ahead steep. Even as many states move to shrink their prison populations, they have done so in ways that have left in place the deepest markings of the carceral state, such as the use of life sentences and solitary confinement, and the criminalization of immigrants. Social movements will need to confront the underlying ideologies that hold that there is an “acceptable” level of widespread imprisonment, that there is a specter of villainy out there—be they “illegal immigrants,” “cop killers,” “sex criminals”—waiting in the wings to destroy the American way of life. 36 There is a risk, inherent in the sordid history of prison reform, that the current reform impulse will be bifurcated along poorly defined notions of “deservingness” that will continue to uphold the carceral logic that separates “good people” from “bad people” and which decides that no fate is too harsh for those deemed unworthy of social inclusion. This, then, is a movement that needs to make nuanced yet straightforward arguments that take seriously questions of accountability while showing that more cops and more (whether bigger or smaller) cages only takes us further from that goal. 37 At stake is the kind of world we want to live in, and the terms could not be more clear: the choice, to paraphrase Martin Luther King, is either carceral chaos or liberatory community. The framework of community—as expressed Decarcerate PA slogan “build communities not prisons” and the CURB “budget for humanity” campaign—allows for a robust imagination of the institutions and mechanisms that foster community versus those that weaken it. It focuses our attention on activities, slogans, programs, and demands that maximize communities. In short, it allows for unity. If the state wants to crush dissent through isolation, our movements must rely on togetherness to win. Solidarity is the difference between life and death. State repression expands in the absence of solidarity. Solidarity is a lifeline against the logic of criminalization and its devastating consequences. For the most successful challenges to imprisonment come from intergenerational movements: movements where people raise each other's consciousness and raise each other's children, movements that fight for the future because they know their history. Here, in this pragmatic but militant radicalism, is a chance to end mass incarceration and begin the process of shrinking the carceral state out of existence.

#### Complete rejection of institutional logic of civil society crushes anti-white supremacy politics.

Kimberle CRENSHAW Law @ UCLA 88 [RACE, REFORM, AND RETRENCHMENT: TRANSFORMATION AND LEGITIMATION IN ANTIDISCRIMINATION LAW 101 Harv. L. Rev. 1331 L/N]

Questioning the Transformative View: Some Doubts About Trashing The Critics' product is of limited utility to Blacks in its present form. The implications for Blacks of trashing liberal legal ideology are troubling, even though it may be proper to assail belief structures that obscure liberating possibilities. Trashing legal ideology seems to tell us repeatedly what has already been established -- that legal discourse is unstable and relatively indeterminate. Furthermore, trashing offers no idea of how to avoid the negative consequences of engaging in reformist discourse or how to work around such consequences. Even if we imagine the wrong world when we think in terms of legal discourse, we must nevertheless exist in a present world where legal protection has at times been a blessing -- albeit a mixed one. The fundamental problem is that, although Critics criticize law because it functions to legitimate existing institutional arrangements, it is precisely this legitimating function that has made law receptive to certain demands in this area. The Critical emphasis on deconstruction as the vehicle for liberation leads to the conclusion that engaging in legal discourse should be avoided because it reinforces not only the discourse itself but also the society and the world that it embodies. Yet Critics offer little beyond this observation. Their focus on delegitimating rights rhetoric seems to suggest that, once rights rhetoric has been discarded, there exists a more productive strategy for change, one which does not reinforce existing patterns of domination. Unfortunately, no such strategy has yet been articulated, and it is difficult to imagine that racial minorities will ever be able to discover one. As Frances Fox Piven and Richard Cloward point out in their [\*1367] excellent account of the civil rights movement, popular struggles are a reflection of institutionally determined logic and a challenge to that logic. 137 People can only demand change in ways that reflect the logic of the institutions that they are challenging. 138 Demands for change that do not reflect the institutional logic -- that is, demands that do not engage and subsequently reinforce the dominant ideology -- will probably be ineffective. 139 The possibility for ideological change is created through the very process of legitimation, which is triggered by crisis. Powerless people can sometimes trigger such a crisis by challenging an institution internally, that is, by using its own logic against it. 140 Such crisis occurs when powerless people force open and politicize a contradiction between the dominant ideology and their reality. The political consequences [\*1368] of maintaining the contradictions may sometimes force an adjustment -- an attempt to close the gap or to make things appear fair. 141 Yet, because the adjustment is triggered by the political consequences of the contradiction, circumstances will be adjusted only to the extent necessary to close the apparent contradiction. This approach to understanding legitimation and change is applicable to the civil rights movement. Because Blacks were challenging their exclusion from political society, the only claims that were likely to achieve recognition were those that reflected American society's institutional logic: legal rights ideology. Articulating their formal demands through legal rights ideology, civil rights protestors exposed a series of contradictions -- the most important being the promised privileges of American citizenship and the practice of absolute racial subordination. Rather than using the contradictions to suggest that American citizenship was itself illegitimate or false, civil rights protestors proceeded as if American citizenship were real, and demanded to exercise the “rights” that citizenship entailed. By seeking to restructure reality to reflect American mythology, Blacks relied upon and ultimately benefited from politically inspired efforts to resolve the contradictions by granting formal rights. Although it is the need to maintain legitimacy that presents powerless groups with the opportunity to wrest concessions from the dominant order, it is the very accomplishment of legitimacy that forecloses greater possibilities. In sum, the potential for change is both created and limited by legitimation.

## AT: Security

### 1AR

#### ( ) Perm do both—the aff is the net benefit

#### ( ) Perm do the aff and the alternative in all other instances—double bind: either the alt is strong enough to overcome the link or the impact’s inevitable

#### ( ) If I win case then the aff’s impacts are real—impact turns the K

#### ( ) Soft power solves the impact—trades off with hard power which means aff is a shift away from aggressive militarization and the kind of peaceful politics focused on negotiation that the alt would support

#### ( ) Reps don’t shape reality, but informed image creation is necessary for effective planning

Shim ’14 (David Shim, Assistant Professor at the Department of International Relations and International Organization of the University of Groningen, Netherlands, Visual Politics and North Korea: Seeing is Believing, Routledge, pg. 25-26, 2014)

However, **particular representations** do not automatically lead to particular responses **as, for instance, proponents of the so-called 'CNN effect' would argue** (for an overview of the debates among academic, media and policy-making circles on the 'CNN effect', see Gilboa 2005; see also, Dauber 2001; Eisensee/Stromberg 2007; Livingston/Eachus 1995; O'Loughlin 2010; Perlmutter 1998. 2005; Robinson 1999, 2001). **There is** no causal relationshipbetween a specific image and a political intervention, **in which a dependent variable** (**the image**) **would explain the outcome of an independent one** (**the act**). David **Perlmutter** (1998: l), for instance, **explicitly challenges, as he calls it, the 'visual determinism'** **of images, which dominates political and public opinion**. **Referring to findings based on public surveys**, **he argues that the formation of opinions** by **individuals depends** not on images **but on their idiosyncratic predispositions and values** (see also, Domke ct ah 2002; Perlmutter 2005). / Yet, **it should also be noted that visuals function as unquestioned referents** in international politics **when underlining the necessity of such specific policy practices as sanctions,** deterrents and/or military cooperation. A good example of this is satellite imagery, which plays a pivotal role in the surveillance and assessment of missile or nuclear proliferation activities by so-called 'rogue states' like Iran and North Korea. **Regarded as providing compelling evidence about the stage of development** of nuclear facilities **or about the collaboration between suspect states, satellite images point to a nexus between visuality, knowledge and international politics** wherein this way of seeing consequently enables governments to make legitimate statements, draw conclusions and take informed political action. In sum, **the visual provides the foundation for knowledge generation and. in doing so, bestows political responses with legitimacy** (cf. Moller 2007). A now famous case-in-point is Colin Powell's PowerPoint presentation at the United Nations Security Council in February 2003. In the briefing, the then US Secretary of State showed satellite images that allegedly proved the existence of Iraqi 'Weapons of Mass Destruction'. What was remarkable about Powell's presentation was that the visual emerged as the primary referent for the US government's casus belli, which, in the words of MacDonald ef ai (2010: 7-8), disclosed the fact that the 'logic of geopolitical reason is now inseparable from its visual representation' (see also, Campbell 2007c; Der Derian 2001). / **The causal theory of the 'CNN effect',** **or what Perlmutter** (1998: 1) **has called above 'visual determinism', misconceives of how the visual recasts the political realm itself** (Hansen 2011**). Rather than asking whether an image caused an intervention**, **it should be asked instead how the visual has been involved in structuring the understandings of** legitimate action, **and how visual representations of different policy options affect particular security practices (**Williams 2003: 527). For instance, **many scholars have shown that images can provoke particularly emotive responses** (Bleiker/Hutchison 2008; Crawford 2000; Hariman/Lucaites 2007; Mercer 2006; Ross 2006). Just one example of the (deliberate) evocation of an emotional reaction is the numerous fundraising campaigns that have been run by different humanitarian aid organizations over the years, in which imagery plays an essential role (Bell/Carens 2004; Dogra 2007; Manzo 2008).

#### ( ) K false – strong incentives against threat inflation

Ravenal 9 [(earl, distinguished senior fellow in foreign policy studies at Cato, is professor emeritus of the Georgetown University School of Foreign Service. He is an expert on NATO, defense strategy, and the defense budget) “What's Empire Got to Do with It? The Derivation of America's Foreign Policy.” Critical Review: An Interdisciplinary Journal of Politics and Society 21.1 (2009) 21-75]

The underlying notion of “the security bureaucracies . . . looking for new enemies” is a threadbare concept that has somehow taken hold across the political spectrum, from the radical left (viz. Michael Klare [1981], who refers to a “threat bank”), to the liberal center (viz. Robert H. Johnson [1997], who dismisses most alleged “threats” as “improbable dangers”), to libertarians (viz. Ted Galen Carpenter [1992], Vice President for Foreign and Defense Policy of the Cato Institute, who wrote a book entitled A Search for Enemies). What is missing from most analysts’ claims of “threat inflation,” however, is a convincing theory of why, say, the American government significantly(not merely in excusable rhetoric) might magnify and even invent threats (and, more seriously, act on such inflated threat estimates). In a few places, Eland (2004, 185) suggests that such behavior might stem from military or national security bureaucrats’ attempts to enhance their personal status and organizational budgets, or even from the influence and dominance of “the military-industrial complex”; viz.: “Maintaining the empire and retaliating for the blowback from that empire keeps what President Eisenhower called the military-industrial complex fat and happy.” Or, in the same section: In the nation’s capital, vested interests, such as the law enforcement bureaucracies . . . routinely take advantage of “crises”to satisfy parochial desires. Similarly, many corporations use crises to get pet projects— a.k.a. pork—funded by the government. And national security crises, because of people’s fears, are especially ripe opportunities to grab largesse. (Ibid., 182) Thus, “bureaucratic-politics” theory, which once made several reputa- tions (such as those of Richard Neustadt, Morton Halperin, and Graham Allison) in defense-intellectual circles, and spawned an entire sub-industry within the field of international relations,5 is put into the service of dismissing putative security threats as imaginary. So, too, can a surprisingly cognate theory, “public choice,”6 which can be considered the right-wing analog of the “bureaucratic-politics” model, and is a preferred interpretation of governmental decision- making among libertarian observers. As Eland (2004, 203) summarizes: Public-choice theory argues [that] the government itself can develop sepa- rate interests from its citizens. The government reflects the interests of powerful pressure groups and the interests of the bureaucracies and the bureaucrats in them. Although this problem occurs in both foreign and domestic policy, it may be more severe in foreign policy because citizens pay less attention to policies that affect them less directly. There is, in this statement of public-choice theory, a certain ambiguity, and a certain degree of contradiction: Bureaucrats are supposedly, at the same time, subservient to societal interest groups and autonomous from society in general. This journal has pioneered the argument that state autonomy is a likely consequence of the public’s ignorance of most areas of state activity (e.g., Somin 1998; DeCanio 2000a, 2000b, 2006, 2007; Ravenal 2000a). But state autonomy does not necessarily mean that bureaucrats substitute their own interests for those of what could be called the “national society” that they ostensibly serve. I have argued (Ravenal 2000a) that, precisely because of the public-ignorance and elite-expertise factors, and especially because the opportunities—at least for bureaucrats (a few notable post-government lobbyist cases nonwithstanding)—for lucrative self-dealing are stringently fewer in the defense and diplomatic areas of government than they are in some of the contract-dispensing and more under-the-radar-screen agencies of government, the “public-choice” imputation of self-dealing, rather than working toward the national interest (which, however may not be synonymous with the interests, perceived or expressed, of citizens!) is less likely to hold. In short, state autonomy is likely to mean, in the derivation of foreign policy, that “state elites” are using rational judgment, in insulation from self-promoting interest groups—about what strategies, forces, and weapons are required for national defense. Ironically, “public choice”—not even a species of economics, but rather a kind of political interpretation—is not even about “public” choice, since, like the bureaucratic-politics model, it repudiates the very notion that bureaucrats make truly “public” choices; rather, they are held, axiomatically, to exhibit “rent-seeking” behavior, wherein they abuse their public positions in order to amass private gains, or at least to build personal empires within their ostensibly official niches. Such sub- rational models actually explain very little of what they purport to observe. Of course, there is some truth in them, regarding the “behavior” of some people, at some times, in some circumstances, under some conditions of incentive and motivation. But the factors that they posit operate mostly as constraints on the otherwise rational optimization of objectives that, if for no other reason than the playing out of official roles, transcends merely personal or parochial imperatives. My treatment of “role” differs from that of the bureaucratic-politics theorists, whose model of the derivation of foreign policy depends heavily, and acknowledgedly, on a narrow and specific identification of the role- playing of organizationally situated individuals in a partly conflictual “pulling and hauling” process that “results in” some policy outcome. Even here, bureaucratic-politics theorists Graham Allison and Philip Zelikow (1999, 311) allow that “some players are not able to articulate [sic] the governmental politics game because their conception of their job does not legitimate such activity.” This is a crucial admission, and one that points— empirically—to the need for a broader and generic treatment of role. Roles (all theorists state) give rise to “expectations” of performance. My point is that virtually every governmental role, and especially national-security roles, and particularly the roles of the uniformed military, embody expectations of devotion to the “national interest”; rationality in the derivation of policy at every functional level; and objectivity in the treatment of parameters, especially external parameters such as “threats” and the power and capabilities of other nations. Sub-rational models (such as “public choice”) fail to take into account even a partial dedication to the “national” interest (or even the possibility that the national interest may be honestly misconceived in more parochial terms). In contrast, an official’s role connects the individual to the (state-level) process, and moderates the (perhaps otherwise) self-seeking impulses of the individual. Role-derived behavior tends to be formalized and codified; relatively transparent and at least peer-reviewed, so as to be consistent with expectations; surviving the particular individual and trans- mitted to successors and ancillaries; measured against a standard and thus corrigible; defined in terms of the performed function and therefore derived from the state function; and uncorrrupt, because personal cheating and even egregious aggrandizement are conspicuously discouraged. My own direct observation suggests that defense decision-makers attempt to “frame” the structure of the problems that they try to solve on the basis of the most accurate intelligence. They make it their business to know where the threats come from. Thus, threats are not “socially constructed” (even though, of course, some values are). A major reason for the rationality, and the objectivity, of the process is that much security planning is done, not in vaguely undefined circumstances that offer scope for idiosyncratic, subjective behavior, but rather in structured and reviewed organizational frameworks. Non-rationalities (which are bad for understanding and prediction) tend to get filtered out. People are fired for presenting skewed analysis and for making bad predictions. This is because something important is riding on the causal analysis and the contingent prediction. For these reasons, “public choice” does not have the “feel” of reality to many critics who have participated in the structure of defense decision-making. In that structure, obvious, and even not-so-obvious,“rent-seeking” would not only be shameful; it would present a severe risk of career termination. And, as mentioned, the defense bureaucracy is hardly a productive place for truly talented rent-seekers to operatecompared to opportunities for personal profit in the commercial world. A bureaucrat’s very self-placement in these reaches of government testi- fies either to a sincere commitment to the national interest or to a lack of sufficient imagination to exploit opportunities for personal profit.

#### ( ) Turn—the alt can’t solve securitization and worsens inequalities

McCormack 10 (Tara, is Lecturer in International Politics at the University of Leicester and has a PhD in International Relations from the University of Westminster. 2010, (Critique, Security and Power: The political limits to emancipatory approaches, page 59-61)

In chapter 7 I engaged with the human security framework and some of the problematic implications of ‘emancipatory’ security policy frameworks. In this chapter I argued that **the shift away from the pluralist security framework** and the elevation of cosmopolitan and emancipatory goals **has served to** enforce international power inequalities rather than lessen them. **Weak or unstable states are subjected to** greater international **scrutiny and** international institutions and **other states have greater freedom to intervene, but the citizens of these states have no way of controlling or influencing these international institutions or powerful states**. **This shift** **away from** the pluralist **security framework** **has not challenged the status quo**, which may help to explain why major international **institutions and states can easily adopt a more cosmopolitan rhetoric in their security policies**. As we have seen, the shift away from the pluralist security framework has entailed a shift towards a more openly hierarchical international system, in which states are differentiated according to, for example, their ability to provide human security for their citizens or their supposed democratic commitments. In this shift, the old pluralist international norms of (formal) international sovereign equality, non-intervention and ‘blindness’ to the content of a state are overturned. Instead, international institutions and states have more freedom to intervene in weak or unstable states in order to ‘protect’ and emancipate individuals globally. Critical and emancipatory security **theorists argue that the goal of the emancipation of the individual means that security must be reconceptualised away from the state**. As the domestic sphere is understood to be the sphere of insecurity and disorder, the international sphere represents greater emancipatory possibilities, as **Tickner argues, ‘if security is to start with the individual, its ties to state sovereignty must be severed’** (1995: 189). For critical and emancipatory theorists there must be a shift towards a ‘cosmopolitan’ legal framework, for example Mary Kaldor (2001: 10), Martin Shaw (2003: 104) and Andrew Linklater (2005). **For critical theorists, one of the fundamental problems with Realism is that it is unrealistic**. Because it prioritises order and the existing status quo, **Realism attempts to impose a particular security framework onto a complex world**, **ignoring the myriad threats to people emerging from their own governments and societies**. Moreover, traditional international theory serves to obscure power relations and omits a study of why the system is as it is: [O]mitting myriad strands of power amounts to exaggerating the simplicity of the entire political system. Today’s conventional portrait of international politics thus too often ends up looking like a Superman comic strip, whereas it probably should resemble a Jackson Pollock. (Enloe, 2002 [1996]: 189) Yet as I have argued, contemporary critical security **theorists seem to show a marked lack of engagement with their problematic** (whether the international security context, or the Yugoslav break-up and **wars**). **Without concrete engagement and analysis**, **however, the critical project is undermined and critical theory becomes nothing more than a request that people behave in a nicer way to each other**. Furthermore, **whilst** contemporary **critical security theorists argue that they present a more realistic image of the world, through exposing power relations**, for example, **their lack of concrete analysis of the problematic considered renders them actually unable to engage with existing power structures and the way in which power is being exercised in the contemporary international system**. For critical and emancipatory theorists the central place of the values of the theorist mean that it cannot fulfil its promise to critically engage with contemporary power relations and emancipatory possibilities. Values must be joined with engagement with the material circumstances of the time.

#### ( ) No impact to threat con

Eric A. Posner and Adrian Vermeule 3, law profs at Chicago and Harvard, Accommodating Emergencies, September, <http://www.law.uchicago.edu/files/files/48.eap-av.emergency.pdf>

Against the view that panicked government officials overreact to an emergency, and unnecessarily curtail civil liberties, we suggest a more constructive theory of the role of fear. Before the emergency, government officials are complacent. They do not think clearly or vigorously about the potential threats faced by the nation. After the terrorist attack or military intervention, their complacency is replaced by fear. Fear stimulates them to action. Action may be based on good decisions or bad: fear might cause officials to exaggerate future threats, but it also might arouse them to threats that they would otherwise not perceive. It is impossible to say in the abstract whether decisions and actions provoked by fear are likely to be better than decisions and actions made in a state of calm. But our limited point is that there is no reason to think that the fear-inspired decisions are likely to be worse. For that reason, the existence of fear during emergencies does not support the antiaccommodation theory that the Constitution should be enforced as strictly during emergencies as during non-emergencies. / C. The Influence of Fear during Emergencies / Suppose now that the simple view of fear is correct, and that it is an unambiguously negative influence on government decisionmaking. Critics of accommodation argue that this negative influence of fear justifies skepticism about emergency policies and strict enforcement of the Constitution. However, this argument is implausible. It is doubtful that fear, so understood, has more influence on decisionmaking during emergencies than decisionmaking during non-emergencies. / The panic thesis, implicit in much scholarship though rarely discussed in detail, holds that citizens and officials respond to terrorism and war in the same way that an individual in the jungle responds to a tiger or snake. The national response to emergency, because it is a standard fear response, is characterized by the same circumvention of ordinary deliberative processes: thus, (i) the response is instinctive rather than reasoned, and thus subject to error; and (ii) the error will be biased in the direction of overreaction. While the flight reaction was a good evolutionary strategy on the savannah, in a complex modern society the flight response is not suitable and can only interfere with judgment. Its advantage—speed—has minimal value for social decisionmaking. No national emergency requires an immediate reaction—except by trained professionals who execute policies established earlier—but instead over days, months, or years people make complex judgments about the appropriate institutional response. And the asymmetrical nature of fear guarantees that people will, during a national emergency, overweight the threat and underweight other things that people value, such as civil liberties. / But if decisionmakers rarely act immediately, then the tiger story cannot bear the metaphoric weight that is placed on it. Indeed, the flight response has nothing to do with the political response to the bombing of Pearl Harbor or the attack on September 11. The people who were there—the citizens and soldiers beneath the bombs, the office workers in the World Trade Center—no doubt felt fear, and most of them probably responded in the classic way. They experienced the standard physiological effects, and (with the exception of trained soldiers and security officials) fled without stopping to think. It is also true that in the days and weeks after the attacks, many people felt fear, although not the sort that produces a irresistible urge to flee. But this kind of fear is not the kind in which cognition shuts down. (Some people did have more severe mental reactions and, for example, shut themselves in their houses, but these reactions were rare.) The fear is probably better described as a general anxiety or jumpiness, an anxiety that was probably shared by government officials as well as ordinary citizens.53 / While, as we have noted, there is psychological research suggesting that normal cognition partly shuts down in response to an immediate threat, we are aware of no research suggesting that people who feel anxious about a non-immediate threat are incapable of thinking, or thinking properly, or systematically overweight the threat relative to other values. Indeed, it would be surprising to find research that clearly distinguished “anxious thinking” and “calm thinking,” given that anxiety is a pervasive aspect of life. People are anxious about their children; about their health; about their job prospects; about their vacation arrangements; about walking home at night. No one argues that people’s anxiety about their health causes them to take too many precautions—to get too much exercise, to diet too aggressively, to go to the doctor too frequently—and to undervalue other things like leisure. So it is hard to see why anxiety about more remote threats, from terrorists or unfriendly countries with nuclear weapons, should cause the public, or elected officials, to place more emphasis on security than is justified, and to sacrifice civil liberties. / Fear generated by immediate threats, then, causes instinctive responses that are not rational in the cognitive sense, not always desirable, and not a good basis for public policy, but it is not this kind of fear that leads to restrictions of civil liberties during wartime. The internment of Japanese Americans during World War II may have been due to racial animus, or to a mistaken assessment of the risks; it was not the direct result of panic; indeed there was a delay of weeks before the policy was seriously considered.54 Post-9/11 curtailments of civil liberties, aside from immediate detentions, came after a significant delay and much deliberation. The civil libertarians’ argument that fear produces bad policy trades on the ambiguity of the word “panic,” which refers both to real fear that undermines rationality, and to collectively harmful outcomes that are driven by rational decisions, such as a bank run, where it is rational for all depositors to withdraw funds if they believe that enough other depositors are withdrawing funds. Once we eliminate the false concern about fear, it becomes clear that the panic thesis is indistinguishable from the argument that during an emergency people are likely to make mistakes. But if the only concern is that during emergencies people make mistakes, there would be no reason for demanding that the constitution be enforced normally during emergencies. Political errors occur during emergencies and nonemergencies, but the stakes are higher during emergencies, and that is the conventional reason why constitutional constraints should be relaxed.

#### ( ) Identifying and preparing for threats is best – the alternative is surprise threats and escalation of conflict.

Doran 99[Charles F. Doran, Andrew W. Mellon Professor of International Relations at Johns Hopkins University, 1999(“Is major war obsolete? An exchange,” Survival, Volume 41, Issue 2, Summer, Available Online via Proquest)]

The conclusion, then, is that the probability of major war declines for some states, but increases for others. And it is very difficult to argue that it has disappeared in any significant or reliable or hopeful sense. Moreover, **a problem with arguing a position that might be described as utopian is that such arguments have policy implications**. It is worrying that as a thesis about the obsolescence of major war becomes more compelling to more people, including presumably governments, the tendency will be to forget about the underlying problem, which is not war per se, but security. And by neglecting the underlying problem of security, the probability of war perversely increases: as governments fail to provide the kind of defence and security necessary to maintain deterrence, one opens up the possibility of new challenges. In this regard it is worth recalling one of Clauswitz's most important insights: A conqueror is always a lover of peace. He would like to make his entry into our state unopposed. That is the underlying dilemma when one argues that a major war is not likely to occur and, as a consequence, one need not necessarily be so concerned about providing the defences that underlie security itself. History shows that surprise threats emerge and rapid destabilising efforts are made to try to provide that missing defence, and all of this contributes to the spiral of uncertainty that leads in the end to war.

#### ( ) Their individual orientation is not a relevant question because it cannot affect global violence

Saunders 98 (Cat, Ph.D. Psychology and Nonsectarian Minister, “Violence, Pacifism, and War A Tribute to My Father and All Veterans”, http://www.drcat.org/death/html/father.html)

At some point, I got more connected to my animal self, and I started thinking more deeply about how much violence it takes to support survival. I'd contemplate the words of Elie Wiesel, or I'd think about Hitler, or **I'd remember the time someone tried to rape my best friend at knifepoint. What happens to my pacifism when reality presents its opposite?** Do I turn the other cheek, or do I fight? I've been in enough life-threatening situations to know that I'm a fighter. If my life is threatened, I do everything possible to negotiate, disable my attacker, or run away — not necessarily in that order. So far, this has been enough. However, I would kill to defend myself if all else failed, and I'd take responsibility for doing so. **The point is,if I would fight to save my life, how can I judge a country that fights to defend itself?** Don't get me wrong. **I rarely find any country's reasons for war to be worthy of blowing thousands of people to bits. However, my idea of a stupid reason might be someone else's idea of survival**. **This doesn't mean I condone war. That would be like saying I condone hell. In point of fact, I hate war. If it were up to me, I'd destroy all the guns and bombs and weapons of mass destruction. But it's not up to me, so I make do with reality. The reality is, large-scale war is uniquely human**. Have you ever wondered about that? What if war is part of the human condition, the way peaceful coexistence is part of it? **Can you work for peace even if you must make peace with war? What if there are bigger forces that play themselves out through our individual and collective experience**s? If you are only a pawn in the game, can you still find the courage to take a stand? What if we are simply as curious about death and destruction as we are about life and creation? **Can you accept and celebrate the apparent contradictions of your humanity**?

#### ( ) Scenario planning is possible and vital to make predictions

Kurasawa 4 (Professor of Sociology, York University of Toronto, Fuyuki, constellations Volume 11, No 4, 2004)

Independently of this contractualist justification, **global civil society actors are putting forth a number of arguments countering temporal myopia on rational grounds. They make the case that no generation, and no part of the world, is immune from catastrophe**.Complacency and parochialism are deeply flawed in that even if we earn a temporary reprieve, our children and grandchildren will likely not be so fortunate unless steps are taken today. Similarly, though it might be possible to minimize or contain the risks and harms of actions to faraway places over the short-term, parrying the eventual blowback or spillover effect is improbable. In fact, as I argued in the previous section, **all but the smallest and most isolated of crises are rapidly becoming globalized** due to the existence of transnational circuits of ideas, images, people, and commodities. **Regardless of where they live, our descendants will increasingly be subjected to the impact of environmental degradation, the spread of epidemics, gross North-South socioeconomic inequalities, refugee flows, civil wars, and genocides. What may have previously appeared to be temporally and spatially remote risks are ‘coming home to roost’ in ever faster cycles. In a word, then, procrastination makes little sense for three principal reasons: it exponentially raises the costs of eventual future action; it reduces preventive options; and it erodes their effectiveness**. With the foreclosing of long-range alternatives, later generations may be left with a single course of action, namely, that of merely reacting to large-scale emergencies as they arise. We need only think of how it gradually becomes more difficult to control climate change, let alone reverse it, or to halt mass atrocities once they are underway. Preventive foresight is grounded in the opposite logic, whereby **the decision to work through perils today greatly enhances both the subsequent room for maneuver and the chances of success. Humanitarian, environmental, and techno-scientific activists have convincingly shown that we cannot afford not to engage in preventive labor**. Moreover, I would contend that farsighted cosmopolitanism is not as remote or idealistic a prospect as it appears to some, for as Falk writes, “[g]lobal justice between temporal communities, however, actually seems to be increasing, as evidenced by various expressions of greater sensitivity to past injustices and future dangers.”36 Global civil society may well be helping a new generational self-conception take root, according to which we view ourselves as the provisional caretakers of our planetary commons. Out of our sense of responsibility for the well-being of those who will follow us, we come to be more concerned about the here and now.

### AT: Root Cause

#### No root cause—prefer proximate causes over broad root causes

Moore 4 – Dir. Center for Security Law @ University of Virginia, 7-time Presidential appointee, & Honorary Editor of the American Journal of International Law, Solving the War Puzzle: Beyond the Democratic Peace, John Norton Moore, pages 41-2

If major interstate war is predominantly a product of a synergy between a potential nondemocratic aggressor and an absence of effective deterrence, what is the role of the many traditional "causes" of war? Past, and many contemporary, theories of war have focused on the role of specific disputes between nations, ethnic and religious differences, arms races, poverty or social injustice, competition for resources, incidents and accidents, greed, fear, and perceptions of "honor," or many other such factors. Such factors may well play a role in motivating aggression or in serving as a means for generating fear and manipulating public opinion. The reality, however, is that while some of these may have more potential to contribute to war than others, there may well be an infinite set of motivating factors, or human wants, motivating aggression. It is not the independent existence of such motivating factors for war but rather the circumstances permitting or encouraging high risk decisions leading to war that is the key to more effectively controlling war. And the same may also be true of democide. The early focus in the Rwanda slaughter on "ethnic conflict," as though Hutus and Tutsis had begun to slaughter each other through spontaneous combustion, distracted our attention from the reality that a nondemocratic Hutu regime had carefully planned and orchestrated a genocide against Rwandan Tutsis as well as its Hutu opponents.I1 Certainly if we were able to press a button and end poverty, racism, religious intolerance, injustice, and endless disputes, we would want to do so. Indeed, democratic governments must remain committed to policies that will produce a better world by all measures of human progress. The broader achievement of democracy and the rule of law will itself assist in this progress. No one, however, has yet been able to demonstrate the kind of robust correlation with any of these "traditional" causes of war as is reflected in the "democratic peace." Further, given the difficulties in overcoming many of these social problems, an approach to war exclusively dependent on their solution may be to doom us to war for generations to come.

## AT: Statism

### 1AR

#### ( ) Perm do both—the aff is the net benefit

#### ( ) Perm do the aff and the alternative in all other instances—double bind: either the alt is strong enough to overcome the link or the impact’s inevitable

#### ( ) Engaging the state is productive—that means discussions of fiat are valuable. Statism is inevitable—innovative engagement can redirect power for emancipation.

Martin and Pierce ’13 Deborah G. Martin, Joseph Pierce, “Reconceptualizing Resistance: Residuals of the State and Democratic Radical Pluralism,” Antipode, Vol. 45, Issue 1, pp. 61-79, January 2013, DOI: 10.1111/j.1467-8330.2012.00980.x

The state offers a complex set of power structures against and with which resistance struggles (Holloway 2005; Scott 1988; Tormey 2004). Indeed, Holloway (2005) sees the state as so entrenched in power relations such that any resistance in or through the state is irrevocably bound up in its power logic. We acknowledge state power as always present, but not necessarily as monolithic.2 Despite—or perhaps because of— the power relations inherent in state frameworks, it is in part through laws and state regulations that activists can achieve reworked economic relations such as worker ownership, community banks, or cooperative housing (DeFilippis 2004). Hackworth explicitly acknowledges the possibility of a “neo-Keynesian” resistance which seeks to maintain relatively left-leaning state functions. Ultimately, though, he dismisses the resistive potential of such “neo-Keynesian” efforts, arguing that they have yielded “highly limited” successes (2007:191). We argue, however, that focusing on a state's ordering functions [the “police” component of states; as in Rancière (2004)] may provide a lens for examining how resistance through the state might destabilize or subvert neoliberal hegemony. We articulate the notion of residuals, or mechanisms of the state that can, or have historically, been wielded to mitigate inequalities of capitalism. In order to explore this arena as potentially productive for resistance, we first consider radical democracy as an already-articulated conceptualization of neoliberal resistance (Laclau and Mouffe 1985; Purcell 2008). Radical democracy does not seek to enroll the state in resistance to capital, per se, but recognizes the simultaneous co-presence of a hegemonic (but always changing) state, and anti-hegemonic resistances. Radical Democracy: Responding to Hegemony? The concept of radical democracy provides a framework for articulating where residual state apparatuses stand amidst the myriad layers of state functions, power, and hegemony (cf Laclau and Mouffe 1985; Rancière 2004). We imagine a politics in which the state –whether capitalist or not— is always hegemonic, and thus always produces an outside or excluded that is resistant to the hegemonic order. Radical democracy as initially described by Laclau and Mouffe (1985) offered a theory of resistance—although they did not use that term—to capitalist hegemonies.3 Their goal was to identify a leftist, anti-hegemonic political project that did not rely on unitary categories such as class, in response to the identity politics of the 1970s to 1990s and post-structural theorizing of the absence of any common (structural or cultural) basis for political transformation. The theory of radical democracy posits that any order is an hegemonic order; the post-Marxist socialist project of Laclau and Mouffe seeks to destabilize the hegemonies of capitalism and work towards more democratic articulations that marginalize capital, even as forms of inequality may persist (Laclau and Mouffe 1985). Nonetheless, they can seek more articulations, more opportunities for social protest and struggle over multiple inequalities. Each struggle will produce—or seek to produce—new orders, or hegemonies, but these will be unseated by other struggles; this process describes a democracy not defined solely by a capitalist hegemony. As scholars have increasingly taken neoliberalism as the distinct form of contemporary capitalism in response to which resistance is engaged, they have explored the ways that its intense market logic constricts possibilities for traditional political activism to engage the state: the state is responsive primarily to the logic of facilitating the work of private capital (Brenner and Theodore 2002; Harvey 2005; Mitchell 2003; Peck and Tickell 2002; Purcell 2008). At the same time, however, neoliberalism opens possibilities for resistance because of its internal contradictions (like all hegemonic orders); it simultaneously engages the state to facilitate capital expansion, yet rhetorically rejects the state as an active player in market logics (Leitner, Peck and Sheppard 2007; Peck and Tickell 2002; Purcell 2008). In doing so, the door is opened for alternative projects and resistances. Purcell (2008) takes up the ideals of radical democracy to focus on how it might provide specific means for resistance to neoliberalism. He wants to take the insights of Laclau and Mouffe and apply them to a particular, empirically informed framework for engaged activism that actually interrupts, if not challenges (and mostly not, in his examples), neoliberalism. As a result, Purcell engages specifically with the idea of “chains of equivalence”, which he defines as “entities [which] must simultaneously be both different and the same” (2008:74). Political coalitions and actors with shared or complimentary challenges to neoliberalism—but distinct in character, goals, and identities—form networks of equivalence [Purcell (2008), drawing from Hardt and Negri (2004) as well as Laclau and Mouffe (1985)]. Simply put, networks of equivalence conceptually allow for multiple groups with different specific interests and identities to band together to challenge the hegemony of neoliberal capitalism. The crucial point for Purcell, however, and the key radical pluralist component is that those groups can work together without having to resolve their internal differences; they need only share a common questioning of the neoliberal prioritizing of private capital. They share a struggle, then, for a different hegemony (Laclau and Mouffe 1985; Purcell 2008). In the battle against global finance, for example, activists with different specific interests (agriculture or trade policy or environmental protections) confront the state in the form of police in the streets of Seattle or Cancun (Wainwright 2007); their objections are to the state policies and agreements which support and create frameworks for world trade. In Purcell's (2008) networks of equivalence in Seattle, a similar, yet more spatially circumscribed network of neighborhood community activists, environmental activists, and a Native American tribe work together to challenge the terms of the environmental clean-up of toxins in and around the Duwamish River. Their target is the corporate interests being held responsible for actually funding the clean-up. The agent helping to hold the corporate interests accountable is the Federal Environmental Protection Agency (EPA). Seattle area environmental activists have been able to form a “chain of equivalence” with the EPA in the Duwamish clean-up in part by inserting themselves into an EPA framework that seeks stakeholder input through a participatory planning structure. The shared interests of the EPA and environmental activists are not obvious or easy to negotiate; the EPA, as a bureaucracy with many actors situated within the US federal system, is positioned as a complex institutional agent. But its particular mandate with regard to environmental protection offers a difficult relation to capital, one sometimes allied with non-state actors seeking limits to capital. Purcell's (2008) account of this case is insightful and engaging. We are highly sympathetic to his project of conceptualizing resistance and, by connection, a better, more complete democracy. But we differ over some of the details—essential details—of how best to enact successful resistances. In his case study of the Duwamish River clean up in Seattle, Purcell (2008) cites government policies as the factor enabling community resistance and involvement. His account is historically detailed—and necessarily so, for the complexities of the state have everything to do with the sedimented and sometimes inherently contradictory nature of its policies and procedures. In brief, he points to the EPA, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (also known as “Superfund”), and associated environmental laws as a sort of “environmental Keynesianism” that the federal government enacted in the decade of the 1970s (through 1980) (Purcell 2008:137). For Purcell, the neoliberalisation of these laws is evident in the increasing local devolution of governance authority over particular Superfund sites, including his case of the Duwamish River, resulting in “a proliferation of ad hoc and special purpose entities [that] increasingly carries out the everyday decision-making in Superfund cleanups” (2008:137). At the same time, however, Purcell (2008:138) acknowledges “that such ‘flexibilization’ … tends to create political opportunities that social movements can exploit”. We want to engage the idea that such flexible—or Keynesian—tools of the state are levers that can force the state to act in ways that might be counter to capital and in the service of greater democracy. In particular, we hope for a more complex, and, we expect, more practically productive conceptualization of resistance in relation to the state. While Purcell (2008:38, 183, note 2,2) acknowledges resistive possibilities from engagement with the state, he also notes that “the state is fully imbricated in the project of neoliberalization” (a point also made elsewhere; cf Harvey 2005; Holloway 2005; Mitchell 2003; Smith 1996; Wainwright 2007). We do not disagree with the basic contention that the state regulates and administers a hegemonic political economic order of and for capital. But the state is complex; following the persuasive arguments of Laclau and Mouffe (1985) and the example of the EPA in Purcell (2008), the state ought to be conceptualized like any actor: as multifaceted, with many possible subjectivities in relation to any particular conflict. This complexity offers the possibility that the state can be a tool for resistance, one we explore further in the rest of this paper.

#### The master’s tools can be used to dismantle the master’s house

James ’9 (Robin M. James, Assistant Professor in the Philosophy Department at the University of North Carolina at Charlotte, Spring 2009, Hypatia, available via Wiley online library)

In these two instances of successful reappropriation of the master's tools—autonomy/universality and the guitar—the particular, real-world advantages offered by this technique might even require its adoption in instances where nothing else can “do” what it “does.” Indeed, to require that we categorically abandon the master's tools seems itself to be an overly abstract “ideal” that overlooks the often contradictory, historically overdetermined real-world contexts in which all ideas are made meaningful and in which actions unfold. In this world, the stage is already set in certain ways, and sometimes the best or only way to maneuver through its various obstacles requires the repurposing of what we find in/on this stage. If, as Coates's discussion demonstrates, power functions not only at the level of ideology, but also at the level of desire, then feminists cannot avoid engaging dominant structures of feeling and affective conventions (such as those at work in tonal harmony and/or rock music), because these cannot be persuaded or altered by “facts” or arguments (that is, ideological critique or demystification). Reading Butler and Peaches from the perspective of non-ideal theory demonstrates that a reappropriation of the “master's tools” is successful not only when it is more effective or affective than anything else, but also when its use of these tools problematizes or voids the master/slave or insider/outsider hierarchy itself. Under these conditions, the master's tools (for example, “autonomy,”“universality,” and playing the guitar) can indeed bring down the master's house.

#### The law is malleable—debating it is the only way to affect change

Todd Hedrick, Assistant Professor of Philosophy at Michigan State University, Sept 2012, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

#### Intervening in the state is not weak reformism, but radical experimentation. Predetermining the government as an impenetrable structure repeats the worst of structuralist irresponsibility by needlessly bracketing leftist politics into irrelevance.

Connolly ’12 William E. Connolly, Krieger-Eisenhower Professor of Political Science at Johns Hopkins University, “Steps toward an Ecology of Late Capitalism,” Theory & Event, Vol. 15, Issue 1, 2012, Muse

A philosophy attending to the acceleration, expansion, irrationalities, interdependencies and fragilities of late capitalism suggests that we do not know with confidence, in advance of experimental action, just how far or fast changes in the systemic character of neoliberal capitalism can be made. The structures often seem solid and intractable, and indeed such a semblance may turn out to be true. Some may seem solid, infinitely absorptive, and intractable when they are in fact punctuated by hidden vulnerabilities, soft spots, uncertainties and potential lines of flight that become apparent as they are subjected to experimental action, upheaval, testing, and strain. Indeed, no ecology of late capitalism, given the variety of forces to which it is connected by a thousand pulleys, vibrations, impingements, dependencies, shocks and thin threads, can specify with supreme confidence the solidity or potential flexibility of the structures it seeks to change. The strength of structural theory, at its best, was in identifying institutional intersections that hold a system together; its conceit, at its worst, was the claim to know in advance how resistant those intersections are to potential change. Without adopting the opposite conceit, it seems important to pursue possible sites of strategic action that might open up room for productive change. Today it seems important to attend to the relation between the need for structural change and identification of multiple sites of potential action. You do not know precisely what you are doing when you participate in such a venture. You combine an experimental temper with the appreciation that living and acting into the future inevitably carries a shifting quotient of uncertainty with it. The following tentative judgments and sites of action may be pertinent.

#### Policy simulation is key to political activism—we learn the levers of power

Coverstone 5 [MBA (Alan, Acting on Activism)

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing. Absent that discussion and debate, much of the motivation for personal political activism is also lost. Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America. Imagining the ability to use our own arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation of success in the public realm is far more empowering to students than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.” Contest debating is well suited to rewarding public activism if it stops accepting as an article of faith that personal agency is somehow undermined by the so-called role playing in debate. Debate is role-playing whether we imagine government action or imagine individual action. Imagining myself starting a socialist revolution in America is no less of a fantasy than imagining myself making a difference on Capitol Hill. Furthermore, both fantasies influenced my personal and political development virtually ensuring a life of active, pro-social, political participation. Neither fantasy reduced the likelihood that I would spend my life trying to make the difference I imagined. One fantasy actually does make a greater difference: the one that speaks the language of political power. The other fantasy disables action by making one a laughingstock to those who wield the language of power. Fantasy motivates and role-playing trains through visualization. Until we can imagine it, we cannot really do it. Role-playing without question teaches students to be comfortable with the language of power, and that language paves the way for genuine and effective political activism. Debates over the relative efficacy of political strategies for pro-social change must confront governmental power at some point. There is a fallacy in arguing that movements represent a better political strategy than voting and person-to-person advocacy. Sure, a full-scale movement would be better than the limited voice I have as a participating citizen going from door to door in a campaign, but so would full-scale government action. Unfortunately, the gap between my individual decision to pursue movement politics and the emergence of a full-scale movement is at least as great as the gap between my vote and democratic change. They both represent utopian fiat. Invocation of Mitchell to support utopian movement fiat is simply not supported by his work, and too often, such invocation discourages the concrete actions he argues for in favor of the personal rejectionism that under girds the political cynicism that is a fundamental cause of voter and participatory abstention in America today.

## AT: Harrison Race K

### 1AR

#### 1] Perm do both

#### 2] Framework—prefer policy options—

#### 3] Alt links harder—communities are more likely to be racist than national governments because in really racist communities, there aren’t less racist people to balance them out—i.e. in the deep South, white people get to decide who doesn’t get to have guns and what their punishment is—it’s vigilantism reborn and means enforcement is more likely to be arbitrary than the aff

#### 4] Alt doesn’t solve the aff—you don’t guarantee gun control—obviously many people will want to keep their guns

### AT: History

#### 1] Turn: you link harder—communities obviously also have racist pasts—e.g. local governments supported lynching and the KKK

#### 2] Prefer the material impacts of the aff over racist history—history is important but overemphasizing it paralyzes action—also, not all gun bans are racist

Winkler ’13 (Adam, Professor @ UCLA Law School, “Gun Control is ‘Racist’?” New Republic, 2013)

Of course, not every gun law in American history was motivated by racism. In fact, some of our earliest gun laws had nothing to do with prejudice. After 1820, for instance, a wave of laws swept through the South and Midwest barring people from carrying concealed weapons. These laws weren't racist in origin; blacks in many of these states were already prohibited from even owning a gun. **The target of concealed carry laws was white people**, namely violence-prone men who were a bit too eager to defend their honor by whipping out their guns. These laws, which might be thought of as the first modern gun control laws, had their origin in reducing criminal violence among whites. Moreover, Keene's claim that gun control has racist roots is not made to correct the historical record. He uses that history to raise doubts about President Obama's proposals for background checks and restrictions on high-capacity magazines and assault weapons. Of course, **there is no evidence [that gun control]** any of these laws **are motivated by** even the hint **of racism. To suggest that we shouldn't adopt any gun regulations** today **because our ancestors had racist gun laws is**, to be generous, far-fetched**. Property [and]** law was once profoundly racist, allowing racially restrictive covenants; **voting law** was **[were] once profoundly racist**, allowing literacy tests; marriage law was once profoundly racist, allowing no interracial marriage. **Does that mean we should never have** laws regulating property, **voting**, or marriage? In these other areas of law, such a claim would be patently absurd. Yet in the minds of today's **NRA leaders, that's what passes for logic.**

#### 3] Their focus on history is bad—it immobilizes action—we should remain radically open to futurity

Zupancic ’03 (Alenka, The Shortest Shadow: Nietzsche’s Philosophy of the Two, pg 57-60)

In Unfashionable Observations, Second Piece (“On the Utility and Liability of History of Life”), Nietzsche links the question of forgetting (which he employs as a synonym for the ahistorical) to the question of the act. Forgetting, obvlivion, is the very condition of possibility for an act in the strong sense of the word. Memory (the “historical”) is eternal sleeplessness and alert insomnia, a state in which no great thing can happen, and which could even be said to serve this very purpose. Considering the common conception according to which memory is something monumental that “fixes” certain events, and closes us within their horizon, Nietzsche proposes a significantly different notion. It is precisely as an eternal openness, an unceasing stream, that memory can immobilize us, mortify us, make us incapable of action. Nietzsche invites us to imaging the extreme example of a human being who does not possess the power to forget. Such a human being would be condemned to see becoming everywhere: he would no longer believe in his own being, would see everything flow apart in turbulent particles, and would lose himself in this stream of becoming. He would be like the true student of Heraclitus. A human being who wanted to experience things in a thoroughly historical manner would be like someone forced to go without sleep. Memory holds us in eternal motion – it keeps opening numerous horizons, and this is precisely how it immobilizes us, forcing us into frenetic activity. Hence, Nietzsche advances a thesis that is as out of tune with our times as it is his own: “every living thing can become healthy, strong and fruitful only within a defined horizon; if it is incapable of drawing a horizon around itself and too selfish, in turn, to enclose its own perspectives within an alien horizon, then it will feebly waste away or hasten to its timely und.” Of course, Nietzsche’s aim here is not to preach narrow-mindedness and pettiness, nor is it simply to affirm the ahistorical against history and memory. On the contrary, he clearly states that it is only by thinking, reflecting, comparing, analyzing and synthesizing (i.e. only by means of the power to utilize the past for life and to reshape past events into history) that the human being becomes properly human. Yet, in the excess of history, the human being ceases to be human once again, no longer able to create or invent. This is why Nietzsche insists that “every great historical event” is born in the “ahistorical atmosphere,” that is to say, in conditions of oblivion and closure: Imagine a man seized and carried away by a vehement passion for a woman or for a great idea; how his world changes! Looking backward he feels he is blind, listening around he hears what is unfamiliar as a dull, insignificant sound; and those things that he perceives at all he never before perceived in this way; so palpable and near, colorful, resonant, illuminated, as though he were apprehending it with all his senses at once. All his valuations are changed and devalued;... It is the most unjust condition in the world, narrow, ungrateful to the past, blind to dangers, deaf to warnings; a tiny whirlpool of life in a dead sea of night and oblivion; and yet this condition—ahistorical, antihistorical through and through— is not only womb of the unjust deed, but of every just deed as well; and no artist will create a picture, no general win a victory, and no people gain its freedom without their having previously desired and striven to accomplish these deeds in just such an ahistorical condition.... Thus, everyone who acts loves his action infinitely more than it deserves to beloved, and the best deeds occur in such an exuberance of love that, no matter what, they must be unworthy of this love, even if their worth were otherwise incalculably great. If we read this passage carefully, we note that the point is not simply that the capacity to forget, or the “ahistorical condition,” is the condition of “great deeds” or “events.” On the contrary: it is the pure surplus of passion or love (for something) that brings about this closure of memory, this “ahistorical condition.” In other words, it is not that we have first to close ourselves within a defined horizon in order then to be able to accomplish something. The closure takes place with the very (“passionate”) opening toward something (“a woman or a great idea”). Nietzsche's point is that if this surplus passion engages us "in the midst of life," instead of mortifying us, it does so via its inducement of forgetting. Indeed, I could mention a quite common experience here: whenever something important happens to us and incites our passion, we tend to forget and dismiss me grudges and resentments we might have been nurturing before. Instead of "forgiving" those who might have injured us in the past, we forget and dismiss these injuries. If we do not, if we "work on our memory" and strive to keep these grudges alive, they will more probably affect and mortify our (new) passion. It could also be interesting to relate Nietzsche’s reflections from the quoted passage to the story of Hamlet, in which the imperative to remember, uttered by Hamlet’s father’s Ghost, plays a very prominent role. Remember me! Remember me!, the Ghost repeats to Hamlet, thus engaging him in the singular rhythm that characterizes the hero of this play that of the alternation between resigned apathy and frenetic activity or precipitate actions (his killing of Polonius, as well as that of Rosencrantz and Guildenstern; his engagement in the duel with Laertes . . .). This movement prevents Hamlet from carrying out the very deed his father’s Ghost charges him with. Many things have been said and written about the relationship between action and knowledge in this play, and about how knowledge prevents Hamlet from acting. Although the two notions are not unrelated, it might be interesting to consider this also in terms of memory (not only in terms of knowledge). It could be worthwhile to contemplate the role played by the imperative of memory. Could we not say that one of the fundamental reasons for the difficulty of Hamlet’s position is precisely the structural incompatibility of memory and action that is to say, the fact that action ultimately always betrays memory? And do we not encounter something similar in the wider phenomenon of melancholy (in the play, Hamlet is actually said to be melancholic) as a never-ending grief that keeps alive, through pain, the memory of what was lost? Additionally, although we can recognize in this kind of melancholy a form of fidelity (for instance to use Nietzsche’s words fidelity to a woman or a great idea), this kind of fidelity, bound to memory, should be distinguished from fidelity to the very event of the encounter with this woman or idea. Contrary to the first form, this second form of fidelity implies and presupposes the power to forget.

#### 4] False – every instance of black insurrection with guns empowered anti-black structures

Everitt ’10 [Ladd Everitt, Director of Communications at the [Coalition to Stop Gun Violence](http://www.csgv.org/), “Debunking the ‘gun control is racist’ smear”, Waging Non-Violence, 2010]

Thomas also refers to Nat Turner, a Virginian slave and preacher who staged a rebellion to seek God’s judgment against the institution of slavery. The revolt began on the night of August 13, 1831, when Turner and six of his followers went from house to house killing slave owners and their families with a hatchet and a broad axe. At each house, the rebels freed any slaves they encountered and stocked up on more weapons. Eventually, his force numbered 60 men—all armed with guns, axes, swords and clubs. The revolt lasted nearly 10 days and 57 whites were killed before the group was pushed back by militia and federal forces. Although Turner escaped, he was caught two months later, immediately convicted, and hanged. In Virginia, the [retribution](http://www.jstor.org/pss/2713592) was brutal: A reign of terror followed in Virginia. Labor was paralyzed, plantations abandoned, women and children were driven from home and crowded into nooks and corners. The sufferings of many of these refugees who spent night after night in the woods were intense. Retaliation began. In a little more than one day 120 Negroes were killed … One individual boasted that he himself had killed between ten and fifteen Negroes … Negroes were tortured to death, burned, maimed and subjected to nameless atrocities. Thomas himself tells us the broader consequences of Turner’s exercise of “Second Amendment rights”: “The fear generated by these and other rebellions led southern legislatures to take particularly vicious aim at the rights of free blacks and slaves to speak or to keep and bear arms for their defense.” The Colfax Massacre is another tragedy frequently cited by the majority in McDonald.Colfax actually began as a civil rights success story. During the Reconstruction period, African-Americans in the small Louisiana town elected officeholders, held important public positions, and even organized a state militia company led by a black man, William Ward. Eventually, however, their unit was demobilized after moving too aggressively to arrest white terrorists. A withdrawal of federal government support set the stage for the [massacre](http://books.google.com/books?id=IGrlvhXUetoC&printsec=frontcover&cd=1&source=gbs_ViewAPI#v=onepage&q&f=false) on April 13, 1873, when between 62-81 African Americans—more than half of them armed with firearms—were slaughtered by a larger, better-equipped force of whites. As my boss, CSGV Executive Director Josh Horwitz, and Casey Anderson [put it](http://books.google.com/books?id=9qDIamIBC90C&pg=PA122&dq=guns,+democracy,+and+the+insurrectionist+idea+the+collapse+of+reconstruction&hl=en&ei=piiSTJ_cC8Lflgefh5mnCg&sa=X&oi=book_result&ct=result&resnum=1&ved=0CCgQ6AEwAA#v=onepage&q&f=false), according to gun rights activists: …the collapse of Reconstruction—and every tragic consequence that followed—could have been avoided if the newly freed slaves had had access to firearms. This explanation of events is a fantasy. It is easy…to identify incidents where the victim of racist violence might have defended themselves more effectively if they had been armed with guns. The idea that white racists could have been kept in check by ensuring widespread access to firearms among black southerners, however, is absurd. In fact, the American experience during and after Reconstruction illustrates that the…premise…that private ownership of guns safeguards individual rights against tyranny of the majority is exactly backward in explaining the relationship between private force and state power in protecting individual rights … Not only is the claim that gun rights could have stopped the Jim Crow system a falsehood, but it covers up the even more important insight that [this argument] is a continuation of a concerted effort, born and nurtured in the antebellum South, to limit the federal government’s effectiveness in protecting the democratic rights of the most vulnerable Americans. I can’t help but think of Lifetime National Rifle Association (NRA) Member Rand Paul[advocating](http://www.huffingtonpost.com/josh-horwitz/second-amendment-remedies_b_616191.html) for the repeal of a section of the 1964 Civil Rights Act and stating that gun carriers should be a protected class like minorities. Nor could “Reclaim the Dream” rally organizer Rev. Al Sharpton when he recently [referred](http://www.nationalactionnetwork.net/media-info/revs-written-opinions/409-tea-party-runs-counter-to-the-civil-rights-movement.html) to Paul while noting that King’s life work was conducted “for the precise purpose of pushing for increased federal action and involvement to nullify all discriminatory state and local practices.”

### AT: Enforcement

#### 1] Aff outweighs—a) black people getting shot, which we reduce, is far worse than a little more stop and frisk—it’s an *irreversible harm* b) case solves the impact—we change violent gun culture, which in turn means police shootings, inner city violence, etc is less likely

#### 2] Turn—gun possession is the excuse for police shootings—reducing handgun use empirically reduces police shootings

Stockman ’15 (Farah, a writer for the Globe’s editorial board and writes a weekly bylined column. She graduated Magna Cum Laude from Harvard College and lived in Kenya and Tanzania, writing as a freelancer for the New York Times, National Public Radio and the Christian Science Monitor. She served as the Globe’s chief foreign policy reporter in Washington, D.C., for seven years. Stockman has won numerous awards, including the Scripps Howard Foundation national journalism award, “My friend is dead. Why isn’t gun control part of the Black Lives Matter platform?” *Boston Globe*, yay MA pride!, 9/16/15) PO

But it feels like they’re ignoring the obvious: If there were fewer guns on the street, there would be fewer shootings, including by police. Campaign Zero’s impressive website contains a graph that compares the number of people killed by police in the United States (1,100 in 2014) to the number killed in Germany (six), Australia (six), Britain (two), and Japan (none.) / It fails to mention that the big difference between the United States and those countries is not body cameras, or police training, but gun laws, plain and simple. / Gun laws in Germany are considered some of the strictest in Europe. Private possession of handguns or pistols is permitted only with special authorization. After a horrific massacre, [Australia](http://www.gunpolicy.org/firearms/region/australia) instituted sweeping new restrictions, including prohibitions on carrying firearms in public without “a genuine reason.” (Personal protection is not considered a “genuine reason.”) / There are reportedly only[77 handguns](http://www.theatlantic.com/international/archive/2012/07/a-land-without-guns-how-japan-has-virtually-eliminated-shooting-deaths/260189/)in civilian possession in the entire nation of Japan. / And in London, police officers don’t even carry guns, because the likelihood that they will need one is almost nil. / The idea that we can compare ourselves to places like that — and be more like them, with just a tweak here or there in our police training — is a fallacy. Can we improve the situation? Sure. But can we end police shootings altogether without addressing underlying issues of gun violence in this country? I don’t think so. / Black Lives Matter activist Deray McKesson, who is involved in Campaign Zero, sees racism as the main underlying issue. “Their primary excuse/justification [for the shootings] is an expansive ‘fear’ of black skin,” he tweeted when I asked him about it. To be sure, racism plays a role. But plenty of white people are getting shot by cops, as data on the Campaign Zero website reveals. / And a racist police officer who isn’t carrying a gun (like those in Britian) and officers who can’t claim that they thought you were carrying a gun (like those in most of the rest of the world) don’t pull the same kind of shenanigans that we’ve seen here in the United States. / The fact that so many people have guns — and use them against police officers — is the main reason (or excuse) that police officers give to explain why they took a life. It’s a reason that so few are punished for doing so. / There are, of course, good reasons to avoid the gun control debate. If you think gun control is impossible, why waste time on it? / But that’s not why Campaign Zero opted not to include it in the platform. Instead, the campaign claims that gun control “contributes to police violence in many cases.” / “At least 30 people were killed in 2014 after police engaged them for possessing an illegal firearm. Forty-percent of these people were black,” the website states. “More research needs to be done to determine whether gun restrictions (i.e., criminalizing guns and those who carry illegal guns) will reduce or increase police killings — particularly of black people.” / That’s missing the forest because of the trees. / The climate of fear — both real and imagined — created by our concealed-weapon culture takes its toll on black people far beyond the realm of policing. According to the Centers for Disease Control and Prevention, 11,208 people died in firearm-related homicides in 2013. Of them, 6,442 were black. Two-hundred-eighty-one people died from stray bullets or accidental discharges that year. Forty-three of them were black. / For every life cut short by a stray bullet, there are countless lives that are circumscribed in immeasurable ways: kids who aren’t allowed to play outdoors; mothers who give up jobs on streets they deem risky; students who drop out of school rather than run the gantlet of guns. / Although homicides have actually fallen from their peak in 1993, gun violence still takes an enormous toll on America — black America, in particular. Nobody suffers more than black people, who are twice as likely to die from gunfire as whites. (It used to be three times as likely, so there is some progress.) / But this is still perhaps the greatest disparity of all in America: Some kids grow up in fear — not just of the police, but of stray bullets — while other kids grow up with the luxury of never having to worry about getting shot. / That’s why 78 percent of blacks support tougher gun laws, compared to less than half of whites.

#### That means the K misses the point – violence is not just white on black violence but the influx of guns into urban cities that have created a culture of fear and disproportionally affects blacks—that means the case outweighs and they have no terminal uniqueness

#### 3] Turn—status quo gun policies empower racial profiling by creating a class of “dangerous people” that police are to look out for who cannot have guns – that justifies a paradigm of selective enforcement that *causes their disad* – aff is a shift away

Bovy ’15 (Bovy, Phoebe Maltz, “It’s Time to Ban Guns. Yes, All of Them,” The New Republic, December 10, 2015//FT)

Progressives who might have been able to brush off accusations of anti-rural-white classism may have a tougher time confronting arguments about the disparate impact gun control policies can have on marginalized communities. These, however, are criticisms of certain tentative, insufficient gun control measures—the ones that would leave small-town white families with legally-acquired guns well enough alone, allowing them to shoot themselves or one another and to let their guns enter the general population. Ban Guns, meanwhile, is not discriminatory in this way. It’s not about dividing society into ‘good’ and ‘bad’ gun owners. It’s about placing gun ownership itself in the ‘bad’ category. It’s worth adding that the anti-gun position is ultimately about police not carrying guns, either. That could never happen, right? Well, certainly not if we keep on insisting on its impossibility. Ask yourself this: Is the pro-gun side concerned with how it comes across? More to the point: Does the fact that someone opposes gun control demonstrate that they’re culturally sensitive to the concerns of small-town whites, as well as deeply committed to fighting police brutality against blacks nationwide? I’m going to go with no and no on these. (The NRA exists!) On the pro-gun-control side of things, there’s far too much timidity. What’s needed to stop all gun violence is a vocal ban guns contingent. Getting bogged down in discussions of what’s feasible keeps what needs to happen—no more guns—from entering the realm of possibility. Public opinion needs to shift. The no-guns stance needs to be an identifiable place on the spectrum, embraced unapologetically, if it’s to be reckoned with.

## AT: Harrison Paternalism K

### AT: Giroux ROB

### AT: Jaggar

### AT: Alt

#### 1] Perm do both

#### 2] Doesn’t solve—white male lawmakers can just say women are “too emotional” and so don’t deserve guns—that’s paternalistic too

#### 3] Turn—you concede authority to decide who’s deserving to the law so they can discriminate—i.e. white police can say black men “don’t deserve” guns since they see them as criminals—you don’t get to fiat perfect solvency

## AT: Neolib

### 1AR

#### ( ) Perm --- do the Plan as a policy to work against neolib AND reject it altogether --- Their alt KEEPS WALKING IN PLACE, stuck in their utopian fantasizing --- Only the perm solves by combining anti-neoliberal ideological protest with pragmatic policy

Ferguson ’10, Stanford anthropology chair and professor, 2010, (James, “Toward a left art of government: from ‘Foucauldian critique’ to Foucauldian politics”,History of the Human Sciences 2011 24: 61, SAGE)

One of the founding premises of this special issue and the conference with which it began is that Foucault has been read, and used, in different ways in different academic disciplines. In this article I will discuss one common way of using Foucault’s thought in my own discipline of anthropology. I will suggest that the strategy of using Foucauldian modes of analysis to ‘critique power’ (as it is often put) has frequently led to a rather sterile form of political engagement. Attention to some of Foucault’s own remarks about politics hints at a different political sensibility, in which empirical experimentation rather than moralistic denunciation takes center place. I will reference some examples of such experimentation that come out of my current research on the politics of social assistance in southern Africa (though I do not have space here to give a full exposition of these). The sort of use of Foucault that I have in mind is well represented in the anthropology of development (and the related field of what is sometimes called critical development studies). Here, the characteristic strategy is to use Foucauldian analysis to reveal the way that interventions, projects, etc., which claim to be merely technical or benevolent, really involve relations of power. This is a perfectly reasonable thing to do, but too often, in this field, such a simple demonstration is apparently seen as the end of the exercise. Power has been ‘critiqued’, an oppressive system has been exposed as such, and that seems to be taken as [sufficient] a satisfactory end to the matter. This impasse in development studies and anthropology is related, I think, to a wider predicament that progressive or left politics seems to find itself in today. The predicament is that the left seems increasingly to be defined by a series of gestures of refusal – what I call ‘the antis’ (anti-globalization, anti-neo-liberalism, anti-privatization, anti-Bush, sometimes even anti-capitalism – but always ‘anti’, never ‘pro’). The current world system, the politics of the ‘anti-’ points out, rests on inequality and exploitation. The global poor are being screwed, while the rich are benefiting. The powerless are getting the short end of the stick. This is all perfectly true, of course, if not terribly illuminating. But such lines of argument typically have very little to propose by way of an alternative ‘art of government’. Governing is exercising power over others, which is what the powerful do to the downtrodden. It appears as something to be resisted or denounced, not improved or experimented with. My first observation about this sort of analysis is that it rests on what seems tome a very un-Foucauldian idea of the political. Foucault did, certainly, valorize certain forms of resistance, and worked tirelessly to undermine and denaturalize taken-for-granted arrangements of power. But he never suggested that power ought not be exercised, or that it was illegitimate for someto seek to govern the conduct of others.On the contrary, he repeatedly insisted that it made no sense (in his scheme of things) to wish for a world without power.1 Naive readings of Foucault turned his skeptical analytics of power into a simple denunciation. Thus the question (once posed to him by an interviewer) of whether it would be an intolerable use of power for a parent to prevent a child from scribbling on the walls of a house. Foucault’s instructive answer was: If I accepted the picture of power that is frequently adopted – namely, that it’s something horrible and repressive for the individual – it’s clear that preventing a child from scribbling would be an unbearable tyranny. But that’s not it. I say that power is a relation. A relation in which one guides the behavior of others. And there’s no reason why this manner of guiding the behavior of others should not ultimately have results which are positive, valuable, interesting, and so on. If I had a kid, I assure you he would not write on the walls – or if he did, it would be against my will. The very idea! (Foucault, 1988a: 11–13) In the same interview, he complained of those who . . . think I’m a sort of radical anarchist who has an absolute hatred of power. No! What I’m trying to do is to approach this extremely important and tangled phenomenon in our society, the exercise of power, with the most reflective, and I would say prudent, attitude. . . . To question the relations of power in the most scrupulous and attentive manner possible, looking into all the domains of its exercise, that’s not the same thing as constructing a mythology of power as the beast of the apocalypse. (ibid.: 11–13) In fact, Foucault was as fascinated and attracted by power as he was by resistance, and his fundamental concern was with how (not whether) power is exercised. This led him, naturally enough, to the problem of government, which he inevitably took up as a pragmatic puzzle. Some contemporary practitioners of what I have termed ‘Foucauldian critique’ seem to think it is some sort of scandal that people should be governed at all – supposing it to be somehow illegitimate that some should seek to guide the conduct of others. But Foucault took a deep and largely sympathetic interest in the development of what he called ‘arts of government’. Indeed, he once suggested (in a provocative set of remarks on neo-liberalism) that while the right had, in the mid- to late 20th century, invented powerful new arts of government, the left had suffered from the ‘absence of a socialist art of government’, and a historic failure to develop an ‘autonomous governmentality’ comparable to liberalism (Foucault, 2008: 93–4). This observation leads to a question that must be a central one for what I am here terming ‘Foucauldian politics’. That is: What might a genuinely ‘left’ art of government look like? And where might we find the specific governmental techniques and rationalities that might enable such an art? Looking at the world as a whole – and especially at the poorest and most disadvantaged parts of it, in which both I and my discipline have long taken a special interest – it seems evident that we can only answer such questions if we are willing to question some of the foundational assumptions that have dominated left thought throughout the last century or more. Let me cite just two reasons for this. First, in much of the world (and especially in the poorest parts of it), formal wage labor does not play the central role that so much left thought ascribes to it. The semimythical figure of the proletarian was, of course, at the heart of ideologies of state socialism, even as the extraction of labor was foundational to its political economy. But the ‘able bodied worker’ was hardly less central to the workings of social democracies and welfare states, where Keynesian policies implied a kind of pact between capital and labor, mediated by the state. ‘Society’, in such a scheme, was grounded on the (normatively male) wage earning worker and ‘his family’, while ‘social welfare’ intervention was available for those left outside the security of labor (whether through injury, old age, or periodic dips in the business cycle). Insurance rationality provided the technical means for universalizing certain sorts of social citizenship (at the level of the nation-state) on the basis of the non-universal (but sufficiently widespread) social condition of wage labor. This template never really applied very well to Africa, where wage laborers have always been a small minority of the population. And it applies even less well today, when economic restructuring and de-industrialization have meant that formal wage employment is ever more the exception than the rule. In the rapidly expanding cities of today’s Africa, the great mass of the population is not ‘employed’ in the usual sense of the word, and increasingly lacks connections (or rights) to land as well. Neither workers nor peasants, they dwell in the socalled ‘informal economy’, eking out a meagre survival through an impressive range of improvised bits of this and that (cf. Davis, 2007). The poverty of our analytical vocabulary in describing such people and their way of life (Are they ‘the lumpen’? ‘The youth’? ‘The informal’ – whatever that means?) ismatched by our inability to conceive of forms of politics that would given them a central place. Certainly, the old left strategy of dismissing such people as a residual and degenerate fringe (Marx’s ‘lumpenproletariat’) can hardly suffice when we are talking (as we often are today) about the majority of the population. The second challenge I wish to note to conventional left thinking is the rise of forms of social assistance that bypass nation-states. The usual left stance identifies ‘neo-liberalism’ as the enemy of the state, and thus of such social goods as welfare and pensions. But in much of Africa, most forms of ‘social assistance’ are funded and implemented by non-state agencies. This has long been the case, in many areas, thanks to the key role of Christian missions in providing education, health care and other social services from the colonial era onward. The NGO revolution of the recent decades has only accentuated the pattern, to the point where many of the key governmental relations that servicer eceiving Africans have are not with state bureaucracies, but with NGOs funded by transnational philanthropic foundations. The most common left response to this transnationalization of ‘the social’ has been to oppose such developments (again, the ‘anti’), and to defend the sovereignty of African states, which are imagined as being (at least potentially) the agents of development and resistors of imperialism. Such stances have sometimes been justified, but they have not led to very effective forms of politics. [But] Might another sort of left politics not be possible – one that would look forward and try to identify new possibilities and openings in the current transnational regime, instead of looking back to an (often misremembered or idealized) era of sovereign ‘developmental states’? And (crucially for my purposes here), might it not be possible to identify or discover new ‘arts of government’ that might take advantage of (rather than simply fighting against) recent transformations in the spatial organization of government and social assistance? This is the sort of rethinking that will be necessary if we are to get beyond the politics of the ‘anti’ and arrive at a convincing response to Foucault’s challenge to develop a true left art of government. Such rethinking will have to be willing to decenter the two sacred touchstones of 20th-century progressive politics – the worker and the nation-state – while finding or reinventing techniques of government that can gain traction in settings where most of ‘the masses’ are not workers, and most social services are not delivered by states. In such circumstances, simply attacking ‘neo-liberalism’ and defending ‘the welfare state’ is not terribly helpful. What is needed instead is a revitalized notion of the political good – and of what ‘social assistance’ might mean in a world where so many of the assumptions of the Keynesian welfare state no longer obtain. In matters of ‘social policy’, Foucault’s 1983 observation remains true nearly a quarter-century later: We are still bound up with an outlook that was formed between 1920 and 1940, mainly under the influence of Beveridge, a man who was born over a hundred years ago. For the moment . . . we completely lack the intellectual tools necessary to envisage in new terms the form in which we might attain what we are looking for. (Foucault, 1988b: 166) My recent work is concerned with empirical domains in which some of the conceptual innovation that Foucault called for may be under way. Perhaps the most provocative finding to date is that some of the most interesting and promising new forms of government being devised seem to be taking market mechanisms that we are used to associating with neo-liberalism, and putting them to new political uses. Consider, for instance, new anti-poverty programs in southern Africa that seek to provide cash support for incomes, and thus (in theory) harness markets to the task of meeting the needs of the poor. This is happening in several African countries, but also in a great many other postcolonial states – from Brazil and Venezuela to Mexico and Bangladesh – where leftist and rightist regimes alike have seen fit to introduce policies that transfer cash directly into the hands of the poor (Fiszbein and Schady, 2009; cf. Ferguson, 2010). The South African Basic Income Grant campaign is the example I know best. This involves a proposal to deal with a crisis of persistent poverty by providing a small unconditional minimum monthly payment to all. The argument goes like this: markets are not working for poor people because they are too poor to participate in them. Government programs are not working for them because the state is inefficient. So: provide income support directly, in the form of cash, then say to the poor: ‘You are now empowered to solve your own problems in the way you see best.’ In contrast to older forms of ‘welfare’ assistance, the claim is that such grants rely on poor people’s own ability to solve their own problems, without imposing the policing, paternalism and surveillance of the traditional welfare state. The ‘social’ of the social welfare state is largely discarded, in this scheme. Assistance is largely decoupled from familistic assumptions and insurance rationality alike, while the state is imagined as both universally engaged (as a kind of direct provider for each and every citizen) and maximally disengaged (taking no real interest in shaping the conduct of those under its care, who are seen as knowing their own needs better than the state does). (See Standing and Samson, 2003; Barchiesi, 20007; Ferguson, 2007.) Similar new lines of thought are visible in recent campaigns for an increased role for direct cash transfers in many forms of social and humanitarian policy. For instance, an increasingly influential argument in the area of humanitarian assistance maintains that hunger is best dealt with by boosting the purchasing power of those at risk, rather than by distributing food aid. The current international food aid system involves taking excess grain (produced under subsidized conditions in rich countries) and transporting it to places (largely in Africa) where people are at risk of hunger. Following Amartya Sen, critics have long noted the perverse effects of this: depressing producer prices for local farmers, and damaging the local institutions for producing and distributing food crops. Once food aid has arrived, local food production often never recovers, and the ‘temporary’ crisis becomes permanent. As an alternative, Sen’s followers have pushed for cash payments to be made directly to those at risk of food deficit. People with money in their pockets, Sen points out, do not starve. And the economic chain of events that is set in motion by boosting purchasing power leads (through market forces) to increased capacity for local production and distribution (Sen, 1983; Dreze and Sen, 1991). The argument recalls Jane Guyer’s groundbreaking work on feeding African cities (1989). Consider, Guyer suggests, how food ends up in bellies in the vast mega-cities of West Africa such as Lagos. The logistical task of moving thousands of tons of food each day fromthousands of local producers to millions of urban consumerswould be beyond the organizational capacity of any state (to say nothing of the less-than-exemplary Nigerian one). Here, market mechanisms, drawing on the power of vast self-organizing networks, are very powerful, and very efficient. Such forms of organization must appear especially attractive where states lack capacity (and let us remember how many progressive dreams in Africa have crashed on the rocks of low state capacity). Why should relying on this sort of mechanism be inherently right-wing? Well, the answer is obvious: markets serve only those with purchasing power. But the food aid example shows a way of redirecting markets toward the poor, by intervening not to restrict the market, but to boost purchasing power. I have become convinced that (at least in the case of food aid) this is good public policy. Is it also neo-liberal? Perhaps that is not the right question. Let us rather ask: Are there specific sorts of social policy that might draw on characteristic neo-liberal ‘moves’ (like using markets to deliver services) that would also be genuinely pro-poor? That seems to me a question worth asking. It seems clear that the governmental programs I have discussed here do draw on recognizably neo-liberal elements (including the valorization of market efficiency, individual choice and autonomy; themes of entrepreneurship; and skepticism about the state as a service provider).2 But those who advocate and fight for these policies would insist that they are, in fact ‘pro-poor’, and that they are ways of fighting against (rather than capitulating to) the growing inequality that recent ‘neo-liberal’ economic restructuring has produced. These claims, I think, are not easily dismissed. And this, in turn, raises the fascinating possibility that the ‘neo-liberal’ and the ‘pro-poor’ may not be so automatically opposed as we are used to supposing. What is of special interest here is the way that certain sorts of new progressive initiatives may involve not simply ‘opposing the neo-liberal project’, but appropriating key mechanisms of neo-liberal government for different ends. This does not mean that these political projects are therefore suspect – ‘contaminated’ by their association with neo-liberal rationality. Rather, it means that they are appropriating certain characteristic neo-liberal ‘moves’ (and I think of these discursive and programmatic moves as analogous to the moves one might make in a game) that while recognizably ‘neo-liberal’, can be used for quite different purposes than that term usually implies. As I have argued in a related paper (Ferguson, 2010), this situation may be analogous to the way that statistical techniques that were developed in the 19th century for calculating the probabilities of workplace injuries eventually became building blocks of the insurance techniques that enabled the rise of the welfare state. Such techniques were originally developed in the 19th century by large employers to control costs, but they eventually became the technical basis for social insurance, and ultimately helped enable unprecedented gains for the working class across much of the world (Ewald, 1986). Techniques have no necessary loyalty to the political program within which they were developed, and mechanisms of government that were invented to serve one purpose can easily enough be appropriated for surprising other uses. ‘Market’ techniques of government such as those I have discussed were, like workplace statistics, undoubtedly conservative in their original uses. But it seems at least possible that they may be in the process of being creatively appropriated, and repurposed for different and more progressive sorts of ends. To be sure: we need to be skeptical about the facile idea that problems of poor people can be solved simply by inviting them to participate in markets and enterprise. Such claims (which often ascribe almost magical transformative powers to such unlikely vehicles as ‘social entrepreneurship’ or ‘microcredit’) are almost always misleading, and often fraudulent. But it would be a mistake to dismiss the coupling of pro-poor social policy with market mechanisms out of hand, out of a reflexive sense that the latter are ‘neo-liberal’ and thus ‘bad’. Again, my interest here is in the potential mobility of a set of governmental devices. These devices originated within a neo-liberal project that deserves all the criticism it gets. But they may be in the process of being redeployed in creative ways. If so, some emergent political initiatives that might appear at first blush to be worryingly ‘neo-liberal’ may, on closer inspection, amount to something a good deal more hopeful. This leaves us with a politics that requires more of us than simply denouncing neo-liberalism. The political demands and policy measures I have mentioned here (whether conditional cash transfers, basic income, or cash-based food aid) do not merit, I think, either wholesale denunciation or uncritical acceptance. Instead, they call on us to remain skeptical and vigilant, but also curious and hopeful. They leave us less with strong opinions than with the sense that we need to think about them a bit more, and learn a bit more about the specific empirical effects that they may produce. Are cash transfers, for instance, a device for demobilizing the poor (as some traditional Marxists claim) – effectively buying the political quiescence of those who have the most to gain from radical social change for a paltry sum? Or do they have the contrary effect, as many proponents of basic income argue – opening up a new space of mobilization and political demand by radically decoupling labor and consumption and opening a new domain of decommodification? This is not a question to be answered theoretically or ideologically; the only answer that really convinces is the empirical and experimental one: Let us find out! Such a stance, I suggest, brings us much closer toward a truly Foucauldian politics. For politics, for Foucault, was always more about experimentation than denunciation. In an interview on social security, Foucault insisted that what was required for a progressive rethinking of social policy was not a theoretically derived ‘line’, but, as he put it, ‘a certain empiricism’. We have to transform the field of social institutions into a vast experimental field, in such a way as to decide which taps need turning, which bolts need to be loosened here or there, to get the desired change. . . . What we have to do . . . is to increase the experiments wherever possible in this particularly interesting and important area of social life. (Foucault, 1988b: 165) What this implies is a form of politics that has less to do with critique and denunciation than with experimentation and assessment. It is a matter not of refusing power, but rather exercising it in a way that would be provisional, reversible, and open to surprise. If we are indeed to arrive at viable left ‘arts of government’, we will need to be open to the unexpected, ready to ‘increase the experiments wherever possible’, and attentive to the ways that governmental techniques originally deployed for nefarious purposes can be appropriated toward other ends. To do this, we will need to forgo the pleasures of the easy, dismissive critique, and instead turn a keen and sympathetic eye toward the rich world of actual social and political practice, the world of tap-turning and experimentation. That is a world still full of invention and surprise, where the landscape of political possibility and constraint that we have come to take for granted is being redrawn, even as we speak

#### ( ) No limits to growth-tech and demographics solve—cap IS sustainable

Bisk 12, Center for Strategic Futurist Thinking director, 2012

(Tsvi, “No Limits to Growth”, <https://www.wfs.org/Upload/PDFWFR/WFR_Spring2012_Bisk.pdf>)

The Case for No Limits to Growth Notwithstanding all of the above, I want to reassert that by imagineering an alternative future—based on solid science and technology— we can create a situation in which there are “no limits to growth.” It begins with a new paradigm for food production now under development: the urban vertical farm. This is a concept popularized by Prof. Dickson Despommier of Columbia University.30 A 30-story urban vertical farm located on five square acres could yield food for fifty thousand people. We are talking about high-tech installations that would multiply productivity by a factor of 480: four growing seasons, times twice the density of crops, times two growing levels on each floor, times 30 floors = 480. This means that five acres of land can produce the equivalent of 2,600 acres of conventionally planted and tended crops. Just 160 such buildings occupying only 800 acres could feed the entire city of New York. Given this calculus, an area the size of Denmark could feed the entire human race. Vertical farms would be self-sustaining. Located contiguous to or inside urban centers, they could also contribute to urban renewal. They would be urban lungs, improving the air quality of cities. They would produce a varied food supply year-round. They would use 90% less water. Since agriculture consumes two-thirds of the water worldwide, mass adoption of this technology would solve humanity’s water problem. Food would no longer need to be transported to market; it would be produced at the market and would not require use of petroleum intensive agricultural equipment. This, along with lessened use of pesticides, herbicides and fertilizers, would not only be better for the environment but would eliminate agriculture’s dependence on petroleum and significantly reduce petroleum demand. Despite increased efficiencies, direct (energy) and indirect (fertilizers, etc.) energy use represented over 13% of farm expenses in 2005-2008 and have been increasing as the price of oil rises.31 Many of the world’s damaged ecosystems would be repaired by the consequent abandonment of farmland. A “rewilding” of our planet would take place. Forests, jungles and savannas would reconquer nature, increasing habitat and becoming giant CO2 “sinks,” sucking up the excess CO2 that the industrial revolution has pumped into the atmosphere. Countries already investigating the adoption of such technology include Abu Dhabi, Saudi Arabia, South Korea, and China—countries that are water starved or highly populated. Material Science, Resources and Energy The embryonic revolution in material science now taking place is the key to “no limits to growth.” I refer to “smart” and superlight materials. Smart materials “are materials that have one or more properties that can be significantly changed in a controlled fashion by external stimuli.” 32 They can produce energy by exploiting differences in temperature (thermoelectric materials) or by being stressed (piezoelectric materials). Other smart materials save energy in the manufacturing process by changing shape or repairing themselves as a consequence of various external stimuli. These materials have all passed the “proof of concept” phase (i.e., are scientifically sound) and many are in the prototype phase. Some are already commercialized and penetrating the market. For example, the Israeli company Innowattech has underlain a one-kilometer stretch of local highway with piezoelectric material to “harvest” the wasted stress energy of vehicles passing over and convert it to electricity.33 They reckon that Israel has stretches of road that can efficiently produce 250 megawatts. If this is verified, consider the tremendous electricity potential of the New Jersey Turnpike or the thruways of Los Angeles and elsewhere. Consider the potential of railway and subway tracks. We are talking about tens of thousands of potential megawatts produced without any fossil fuels. Additional energy is derivable from thermoelectric materials, which can transform wasted heat into electricity. As Christopher Steiner notes, capturing waste heat from manufacturing alone in the United States would provide an additional 65,000 megawatts: “enough for 50 million homes.”34 Smart glass is already commercialized and can save significant energy in heating, airconditioning and lighting—up to 50% saving in energy has been achieved in retrofitted legacy buildings (such as the former Sears Tower in Chicago). New buildings, designed to take maximum advantage of this and other technologies could save even more. Buildings consume 39% of America’s energy and 68% of its electricity. They emit 38% of the carbon dioxide, 49% of the sulfur dioxide, and 25% of the nitrogen oxides found in the air.35 Even greater savings in electricity could be realized by replacing incandescent and fluorescent light bulbs with LEDS which use 1/10th the electricity of incandescent and half the electricity of fluorescents. These three steps: transforming waste heat into electricity, retrofitting buildings with smart glass, and LED lighting, could cut America’s electricity consumption and its CO2 emissions by 50% within 10 years. They would also generate hundreds of thousands of jobs in construction and home improvements. Coal driven electricity generation would become a thing of the past. The coal released could be liquefied or gasified (by new environmentally friendly technologies) into the energy equivalent of 3.5 million barrels of oil a day. This is equivalent to the amount of oil the United States imports from the Persian Gulf and Venezuela together.36 Conservation of energy and parasitic energy harvesting, as well as urban agriculture would cut the planet’s energy consumption and air and water pollution significantly. Waste-to-energy technologies could begin to replace fossil fuels. Garbage, sewage, organic trash, and agricultural and food processing waste are essentially hydrocarbon resources that can be transformed into ethanol, methanol, and biobutanol or biodiesel. These can be used for transportation, electricity generation or as feedstock for plastics and other materials. Waste-to-energy is essentially a recycling of CO2 from the environment instead of introducing new CO2 into the environment. Waste-to-energy also prevents the production, and release from rotting organic waste, of methane—a greenhouse gas 25 times more powerful than CO2. Methane accounts for 18% of the manmade greenhouse effect. Not as much as CO2, which constitutes 72%, but still considerable (landfills emit as much greenhouse gas effect, in the form of methane, as the CO2 from all the vehicles in the world). Numerous prototypes of a variety of waste-to-energy technologies are already in place. When their declining costs meet the rising costs of fossil fuels, they will become commercialized and, if history is any judge, will replace fossil fuels very quickly—just as coal replaced wood in a matter of decades and petroleum replaced whale oil in a matter of years. Superlight Materials But it is superlight materials that have the greatest potential to transform civilization and, in conjunction with the above, to usher in the “no limits to growth” era. I refer, in particular, to car-bon nanotubes—alternatively referred to as Buckyballs or Buckypaper (in honor of Buckminster Fuller). Carbon nanotubes are between 1/10,000th and 1/50,000th the width of a human hair, more flexible than rubber and 100-500 times stronger than steel per unit of weight. Imagine the energy savings if planes, cars, trucks, trains, elevators—everything that needs energy to move—were made of this material and weighed 1/100th what they weigh now. Imagine the types of alternative energy that would become practical. Imagine the positive impact on the environment: replacing many industrial processes and mining, and thus lessening air and groundwater pollution. Present costs and production methods make this impractical but that infinite resource—the human mind—has confronted and solved many problems like this before. Let us take the example of aluminum. A hundred fifty years ago, aluminum was more expensive than gold or platinum.37 When Napoleon III held a banquet, he provided his most honored guests with aluminum plates. Less-distinguished guests had to make do with gold! When the Washington Monument was completed in 1884, it was fitted with an aluminum cap—the most expensive metal in the world at the time—as a sign of respect to George Washington. It weighed 2.85 kilograms, or 2,850 grams. Aluminum at the time cost $1 a gram (or $1,000 a kilogram). A typical day laborer working on the monument was paid $1 a day for 10-12 hours a day. In other words, today’s common soft-drink can, which weighs 14 grams, could have bought 14 ten-hour days of labor in 1884.38 Today’s U.S. minimum wage is $7.50 an hour. Using labor as the measure of value, a soft drink can would cost $1,125 today (or $80,000 a kilogram), were it not for a new method of processing aluminum ore. The Hall-Héroult process turned aluminum into one of the cheapest commodities on earth only two years after the Washington Monument was capped with aluminum. Today aluminum costs $3 a kilogram, or $3000 a metric ton. The soft drink can that would have cost $1,125 today without the process now costs $0.04. Today the average cost of industrial grade carbon nanotubes is about $50-$60 a kilogram. This is already far cheaper in real cost than aluminum was in 1884. Yet revolutionary methods of production are now being developed that will drive costs down even more radically. At Cambridge University they are working on a new electrochemical production method that could produce 600 kilograms of carbon nanotubes per day at a projected cost of around $10 a kilogram, or $10,000 a metric ton.39 This will do for carbon nanotubes what the Hall-Héroult process did for aluminum. Nanotubes will become the universal raw material of choice, displacing steel, aluminum, copper and other metals and materials. Steel presently costs about $750 per metric ton. Nanotubes of equivalent strength to a metric ton of steel would cost $100 if this Cambridge process (or others being pursued in research labs around the world) proves successful. Ben Wang, director of Florida State’s High Performance Materials Institute claims that: “If you take just one gram of nanotubes, and you unfold every tube into a graphite sheet, you can cover about two-thirds of a football field”.40 Since other research has indicated that carbon nanotubes would be more suitable than silicon for producing photovoltaic energy, consider the implications. Several grams of this material could be the energy-producing skin for new generations of superlight dirigibles—making these airships energy autonomous. They could replace airplanes as the primary means to transport air freight. Modern American history has shown that anything human beings decide they want done can be done in 20 years if it does not violate the laws of nature. The atom bomb was developed in four years; putting a man on the moon took eight years. It is a reasonable conjecture that by 2020 or earlier, an industrial process for the inexpensive production of carbon nanotubes will be developed, and that this would be the key to solving our energy, raw materials, and environmental problems all at once. Mitigating Anthropic Greenhouse Gases Another vital component of a “no limits to growth” world is to formulate a rational environmental policy that saves money; one that would gain wide grassroots support because it would benefit taxpayers and businesses, and would not endanger livelihoods. For example, what do sewage treatment, garbage disposal, and fuel costs amount to as a percentage of municipal budgets? What are the costs of waste disposal and fuel costs in stockyards, on poultry farms, throughout the food processing industry, and in restaurants? How much aggregate energy could be saved from all of the above? Some experts claim that we could obtain enough liquid fuel from recycling these hydrocarbon resources to satisfy all the transportation needs of the United States. Turning the above waste into energy by various means would be a huge cost saver and value generator, in addition to being a blessing to the environment. The U.S. army has developed a portable field apparatus that turns a combat unit’s human waste and garbage into bio-diesel to fuel their vehicles and generators.41 It is called TGER—the Tactical Garbage to Energy Refinery. It eliminates the need to transport fuel to the field, thus saving lives, time, and equipment expenses. The cost per barrel must still be very high. However, the history of military technology being civilianized and revolutionizing accepted norms is long. We might expect that within 5-10 years, economically competitive units using similar technologies will appear in restaurants, on farms, and perhaps even in individual households, turning organic waste into usable and economical fuel. We might conjecture that within several decades, centralized sewage disposal and garbage collection will be things of the past and that even the Edison Grid (unchanged for over one hundred years) will be deconstructed. The Promise of Algae Biofuels produced from algae could eventually provide a substantial portion of our transportation fuel. Algae has a much higher productivity potential than crop-based biofuels because it grows faster, uses less land and requires only sun and CO2 plus nutrients that can be provided from gray sewage water. It is the primo CO2 sequesterer because it works for free (by way of photosynthesis), and in doing so produces biodiesel and ethanol in much higher volumes per acre than corn or other crops. Production costs are the biggest remaining challenge. One Defense Department estimate pins them at more than $20 a gallon.42 But once commercialized in industrial scale facilities, production cost could go as low as $2 a gallon (the equivalent of $88 per barrel of oil) according to Jennifer Holmgren, director of renewable fuels at an energy subsidiary of Honeywell International.43 Since algae uses waste water and CO2 as its primary feedstock, its use to produce transportation fuel or feedstock for product would actually improve the environment. The Promise of the Electric Car There are 250 million cars in the United States. Let’s assume that they were all fully electric vehicles (EVs) equipped with 25-kWh batteries. Each kWh takes a car two to three miles, and if the average driver charges the car twice a week, this would come to about 100 charge cycles per year. All told, Americans would use 600 billion kWh per year, which is only 15% of the current total U.S. production of 4 trillion kWh per year. If supplied during low demand times, this would not even require additional power plants. If cars were made primarily out of Buckypaper, one kWh might take a car 40-50 miles. If the surface of the car was utilized as a photovoltaic, the car of the future might conceivably become energy autonomous (or at least semi-autonomous). A kWh produced by a coal-fired power plant creates two pounds of CO2, so our car-related CO2 footprint would be 1.2 trillion pounds if all electricity were produced by coal. However, burning one gallon of gas produces 20 pounds of CO2.44 In 2008, the U.S. used 3.3 billion barrels of gasoline, thereby creating about 3 trillion pounds of CO2. Therefore, a switch to electric vehicles would cut CO2 emissions by 60% (from 3 trillion to 1.2 trillion pounds), even if we burned coal exclusively to generate that power. Actually, replacing a gas car with an electric car will cause zero increase in electric draw because refineries use seven kWh of power to refine crude oil into a gallon of gasoline. A Tesla Roadster can go 25 miles on that 7 KWh of power. So the electric car can go 25 miles using the same electricity needed to refine the gallon of gas that a combustion engine car would use to go the same distance. Additional Strategies The goal of mitigating global warming/climate change without changing our lifestyles is not naïve. Using proven Israeli expertise, planting forests on just 12% of the world’s semi-arid areas would offset the annual CO2 output of one thousand 500-megawatt coal plants (a gigaton a year).45 A global program of foresting 60% of the world’s semi-arid areas would offset five thousand 500-megawatt coal plants (five gigatons a year). Since mitigation goals for global warming include reducing our CO2 emissions by eight gigatons by 2050, this project alone would have a tremendous ameliorating effect. Given that large swaths of semi-arid land areas contain or border on some of the poorest populations on the planet, we could put millions of the world’s poorest citizens to work in forestation, thus accomplishing two positives (fighting poverty and environmental degradation) with one project. Moving agriculture from its current fieldbased paradigm to vertical urban agriculture would eliminate two gigatons of CO2. The subsequent re-wilding of vast areas of the earth’s surface could help sequester up to 50 gigatons of CO2 a year, completely reversing the trend. The revolution underway in material science will help us to become “self-sufficient” in energy. It will also enable us to create superlight vehicles and structures that will produce their own energy. Over time, carbon nanotubes will replace steel, copper and aluminum in a myriad of functions. Converting waste to energy will eliminate most of the methane gas humanity releases into the atmosphere. Meanwhile, artificial photosynthesis will suck CO2 out of the air at 1,000 times the rate of natural photosynthesis.46 This trapped CO2 could then be combined with hydrogen to create much of the petroleum we will continue to need. As hemp and other fast-growing plants replace wood for making paper, the logging industry will largely cease to exist. Self-contained fish farms will provide a major share of our protein needs with far less environmental damage to the oceans. Population Explosion or Population Implosion One constant refrain of anti-growth advocates is that we are heading towards 12 billion people by the end of the century, that this is unsustainable, and thus that we must proactively reduce the human population to 3 billion-4 billion in order to “save the planet” and human civilization from catastrophe. But recent data indicates that a demographic winter will engulf humanity by the middle of this century. More than 60 countries (containing over half the world’s population) already do not have replacement birth rates of 2.1 children per woman. This includes the entire EU, China, Russia, and half a dozen Muslim countries, including Turkey, Algeria, and Iran. If present trends continue, India, Mexico and Indonesia will join this group before 2030. The human population will peak at 9-10 billion by 2060, after which, for the first time since the Black Death, it will begin to shrink. By the end of the century, the human population might be as low as 6 billion-7 billion. The real danger is not a population explosion; but the consequences of the impending population implosion.47 This demographic process is not being driven by famine or disease as has been the case in all previous history. Instead, it is being driven by the greatest Cultural Revolution in the history of the human race: the liberation and empowerment of women. The fact is that even with present technology, we would still be able to sustain a global population of 12 billion by the end of the century if needed. The evidence for this is cited above.

#### ( ) Case outweighs—default to specificity—their use of neoliberalism as a catch all phrase negates possibilities for change

Barnett 05, Open University social sciences faculty, 2005

(Clive, “The consolations of ‘neoliberalism”, Geoforum, ebsco)

The blind-spot in theories of neoliberalism—whether neo-Marxist and Foucauldian—comes with trying to account for how top-down initiatives ‘take’ in everyday situations. So perhaps the best thing to do is to stop thinking of “neoliberalism” as a coherent “hegemonic” project altogether. For all its apparent critical force, the vocabulary of “neoliberalism” and “neoliberalization” in fact provides a double consolation for leftist academics: it supplies us with plentiful opportunities for unveiling the real workings of hegemonic ideologies in a characteristic gesture of revelation; and in so doing, it invites us to align our own professional roles with the activities of various actors “out there”, who are always framed as engaging in resistance or contestation. The conceptualization of “neoliberalism” as a “hegemonic” project does not need refining by adding a splash of Foucault. Perhaps we should try to do without the concept of “neoliberalism” altogether, because it might actually compound rather than aid in the task of figuring out how the world works and how it changes. One reason for this is that, between an overly economistic derivation of political economy and an overly statist rendition of governmentality, stories about “neoliberalism” manage to reduce the understanding of social relations to a residual effect of hegemonic projects and/or governmental programmes of rule (see Clarke, 2004a). Stories about “neoliberalism” pay little attention to the pro-active role of socio-cultural processes in provoking changes in modes of governance, policy, and regulation. Consider the example of the restructuring of public services such as health care, education, and criminal justice in the UK over the last two or three decades. This can easily be thought of in terms of a ‘‘hegemonic’’ project of “neoliberalization”, and certainly one dimension of this process has been a form of anti-statism that has rhetorically contrasted market provision against the rigidities of the state. But in fact these ongoing changes in the terms of public-policy debate involve a combination of different factors that add up to a much more dispersed populist reorientation in policy, politics, and culture. These factors include changing consumer expectations, involving shifts in expectations towards public entitlements which follow from the generalization of consumerism; the decline of deference, involving shifts in conventions and hierarchies of taste, trust, access, and expertise; and the refusals of the subordinated, refer- ring to the emergence of anti-paternalist attitudes found in, for example, women’s health movements or anti-psychiatry movements. They include also the development of the politics of difference, involving the emergence of discourses of institutional discrimination based on gender, sexuality, race, and disability. This has disrupted the ways in which welfare agencies think about inequality, helping to generate the emergence of contested inequalities, in which policies aimed at addressing inequalities of class and income develop an ever more expansive dynamic of expectation that public services should address other kinds of inequality as well (see Clarke, 2004b). None of these populist tendencies is simply an expression of a singular “hegemonic” project of “neoliberalization”. They are effects of much longer rhythms of socio-cultural change that emanate from the bottom-up. It seems just as plausible to suppose that what we have come to recognise as “hegemonic neoliberalism” is a muddled set of ad hoc, opportunistic accommodations to these unstable dynamics of social change as it is to think of it as the outcome of highly coherent political-ideological projects. Processes of privatization, market liberalization, and de-regulation have often followed an ironic pattern in so far as they have been triggered by citizens’ movements arguing from the left of the political spectrum against the rigidities of statist forms of social policy and welfare provision in the name of greater autonomy, equality, and participation (e.g. Horwitz, 1989). The political re-alignments of the last three or four decades cannot therefore be adequately understood in terms of a straightforward shift from the left to the right, from values of collectivism to values of individualism, or as a re-imposition of class power. The emergence and generalization of this populist ethos has much longer, deeper, and wider roots than those ascribed to “hegemonic neoliberalism”. And it also points towards the extent to which easily the most widely resonant political rationality in the world today is not right-wing market liberalism at all, but is, rather, the polyvalent discourse of ‘‘democracy’’ (see Barnett and Low, 2004).  
1] Indicts their epistemology

2] Proves the aff is a good form of neoliberalism, and that they can’t capture those benefits b/c they are all rejection

3] Proves aff can’t solve b/c they can’t address the root problem, also harder to rally individuals behind you.

### You Link

#### Justifying gun possession by framing the government as inept reinforces the neoliberal ideology of rugged individualism.

Esposito 14 (Luigi Esposito, Ph.D., is Associate Professor of Sociology and Criminology at Barry University in Miami Shores, FL & Laura Finley, Ph.D. is Assistant professor of Sociology and Criminology at Barry University in Miami Shores, FL. “Beyond Gun Control: Examining Neoliberalism, Pro-gun Politics and Gun Violence in the United States” April 2014. Theory in Action)

Another related narrative used among gun supporters to oppose gun controls is that such measures leave responsible, law abiding citizens without any viable means of protecting themselves against criminals and/or violent predators. Consistent with the neoliberal claim that government is inept, this common argument is predicated on the idea that the state (this includes the police and other law enforcement agencies) is inefficient and thus largely incapable of protecting citizens (see Carlson 2012). Disarming the public is thus akin to a proverbial “throwing the lambs to the wolves” scenario. This distrust of government, along with the fact that fear of crime in the U.S. is out of proportion to actual crime rates (e.g., Shelden, 2010), encourages an insistence among millions of Americans to want easy access to guns as a way to protect themselves, their families, and their property. This logic fits perfectly with (and is reinforced by) neoliberal ideology and its emphasis on private solutions to all problems. This same ideology is also what has encouraged and glamorized the sort of rugged individualism that is at the heart of pro-gun politics.

## AT: Lex Neolib K

### 1AR

#### On the link—

#### 1] Turn: we create bottom-up movements—a breakdown in gun culture can inspire a larger movement against militarism in US culture

#### 2] Aff is a prerequisite—a bottom-up movement is *impossible* when people are gunned down in the street—especially true for people of color in the inner city—that’s Debrabander 15

#### Now the impacts—

#### 1] This is a solvency deficit—it’s a reason we can’t *solve* neolib, but not a reason why we make it actively worse—no impact uniqueness

#### 2] Aff solves—we break down the individualistic notion of every man for himself, which is the base of neolib since it fuels capitalist competition—that’s also Gahman 14

#### 3] No “moral” impact off Brown—a) this is about NAFTA and TPP not guns b) no framework so no impact

#### 4] No warming impact—mitigation and adaptation solve

Robert O. Mendelsohn 9, the Edwin Weyerhaeuser Davis Professor, Yale School of Forestry and Environmental Studies, Yale University, June 2009, “Climate Change and Economic Growth,” online: http://www.growthcommission.org/storage/cgdev/documents/gcwp060web.pdf

**The** heart of the **debate about climate change** comes from a number of warnings from scientists and others that **give the impression that human-induced climate change is an immediate threat to society** (IPCC 2007a,b; Stern 2006). Millions of people might be vulnerable to health effects (IPCC 2007b), crop production might fall in the low latitudes (IPCC 2007b), water supplies might dwindle (IPCC 2007b), precipitation might fall in arid regions (IPCC 2007b), extreme events will grow exponentially (Stern 2006), and between 20–30 percent of species will risk extinction (IPCC 2007b). Even worse, there may be catastrophic events such as the melting of Greenland or Antarctic ice sheets causing severe sea level rise, which would inundate hundreds of millions of people (Dasgupta et al. 2009). Proponents argue there is no time to waste. Unless greenhouse gases are cut dramatically today, economic growth and well‐being may be at risk (Stern 2006). **These statements are** largely **alarmist and misleading**. Although climate change is a serious problem that deserves attention, **society’s immediate behavior has an** **extremely low probability** **of leading to** **catastrophic consequences**. The **science and economics** of climate change **is quite clear that emissions over the next few decades will lead to only** **mild consequences**. The **severe impacts** predicted by alarmists **require a century (or two** in the case of Stern 2006) **of no mitigation**. Many of the **predicted impacts assume there will be no or little adaptation**. The net economic impacts from climate change over the next 50 years will be small regardless. Most of **the more severe impacts will take more than a century or even a millennium to unfold and many of these** “**potential” impacts** **will never occur because people will adapt**. **It is not at all apparent that immediate and dramatic policies need to be developed to thwart long‐range climate risks**. What is needed are long‐run balanced responses.

#### The alternative—

#### 1] Perm do both

#### 2] Perm do the aff and the alternative in all other instances— we can use top-down approaches in the case of the aff and bottom-up ones in all others—double-bind: either perm overwhelms the link or alt doesn’t solve

#### 3] Doesn’t solve—grassroots movements can’t change neoliberalism without changing policy i.e. things like TPP or NAFTA

#### 4] State inevitable—“bottom-up” movements won’t get rid of it—that means we must learn to work within it—a complete avoidance of top-down approaches fails

## AT: Cap

### 1AR

#### ( ) Turn—guns are a major vehicle of capitalism—used to support the power of the white male ruling class, and the gun industry is huge—try or die for a ban to destroy profits—aff’s a shift away from private ownership

#### ( ) Turn—aff causes a culture shift away from individualism and neolib—that’s Gahman 14—outweighs: it’s the worst form of ultra-capitalism

#### ( ) Perm do both—reformism solves

Dixon 1 **–** Activist and founding member of Direct Action Network Summer, Chris, “Reflections on Privilege, Reformism, and Activism”, Online

To bolster his critique of 'reformism,' for instance, he critically cites one of the examples in my essay: demanding authentic **we need revolutionary strategy that links diverse, everyday struggles and demands to long-term radical objectives, without sacrificing either. Of course, this isn't to say that every so-called 'progressive' ballot initiative or organizing campaign is necessarily radical or strategic. Reforms are not all created equal. But some can fundamentally shake systems of power, leading to enlarged gains and greater space for further advances.** Andre Gorz, in his seminal book Strategy for Labor, refers to these as "non-reformist" or "structural" reforms. He contends, "a struggle for non-reformist reforms--for anti-capitalist reforms--is one which does not base its validity and its right to exist on capitalist needs, criteria, and rationales. A non-reformist reform is determined not in terms of what can be, but what should be." **Look to history for examples: the end of slavery, the eight-hour workday, desegregation. All were born from long, hard struggles, and none were endpoints. Yet they all struck at the foundations of power (in these cases, the state, white supremacy, and capitalism), and in the process, they created new prospects for revolutionary change.** Now consider contemporary struggles: amnesty for undocumented immigrants, socialized health care, expansive environmental protections, indigenous sovereignty. These and many more are arguably non-reformist reforms as well. **None will single-handedly dismantle capitalism or other systems of power, but each has the potential to escalate struggles and sharpen social contradictions. And we shouldn't misinterpret these efforts as simply meliorative** incrementalism**, making 'adjustments' to a fundamentally flawed system.**

#### ( ) Inevitability means the perm is best

Wilson 2k – Editor and Publisher of Illinois Academe – 2000 (John K. Wilson, “How the Left can Win Arguments and Influence People” p. 15- 16)

**Capitalism is far too ingrained in American life to eliminate. If you go into the most impoverished areas of America**, you will find that the **people who live there** are not seeking government control over factories or even more social welfare programs; they're **hoping, usually in vain, for a fair chance to share in the capitalist wealth. The poor do not pray for socialism-they strive to be a part of the capitalist system. They want jobs, they want to start businesses, and they want to make money and be successful. What's wrong with America is not capitalism as a system but capitalism as a religion.** We worship the accumulation of wealth and treat the horrible inequality between rich and poor as if it were an act of God. Worst of all, we allow the government to exacerbate the financial divide by favoring the wealthy: go anywhere in America, and compare a rich suburb with a poor town-the city services, schools, parks, and practically everything else will be better financed in the place populated by rich people. **The aim is not to overthrow capitalism but to overhaul it. Give it a social-justice tune-up, make it more efficient, get the economic engine to hit on all cylinders for everybody, and stop putting out so many environmentally hazardous substances.** To some people, this goal means selling out leftist ideals for the sake of capitalism. But the right thrives on having an ineffective opposition. The Revolutionary Communist Party helps stabilize the "free market" capitalist system by making it seem as if the only alternative to free-market capitalism is a return to Stalinism. **Prospective activists for change are instead channeled into pointless discussions about the revolutionary potential of the proletariat. Instead of working to persuade people to accept progressive ideas, the far left talks to itself (which may be a blessing, given the way it communicates) and tries to sell copies of the Socialist Worker to an uninterested public.**

**( ) Perm do the aff and the alt in all other instances—double bind, either the alt is strong enough to overcome the link or the impact’s inevitable**

**( ) Capitalism is self-correcting and sustainable – war and environmental destruction are not profitable and innovation solves their impacts**

Kaletsky ’11 (Anatole, editor-at-large of *The Times* of London, where he writes weekly columns on economics, politics, and international relationsand on the governing board of the New York-based Institute for New Economic

Theory (INET), a nonprofit created after the 2007-2009 crisis to promote and finance academic research in economics, Capitalism 4.0: The Birth of a New Economy in the Aftermath of Crisis, p. 19-21)

**Democratic capitalism is a system built for survival. It has adapted successfully to shocks of every kind, to upheavals in technology and economics, to political revolutions and world wars. Capitalism has been able to do this because,** unlike communism or socialism or feudalism**, it has an inner dynamic akin to a living thing. It can adapt and refine itself in response to the changing environment. And it will evolve into a new species of the same capitalist genus if that is what it takes to survive. I**n the panic of 2008—09, many politicians, businesses, and pundits forgot about the astonishing adaptability of the capitalist system. Predictions of global collapse were based on static views of the world that extrapolated a few months of admittedly terrifying financial chaos into the indefinite future. **The self-correcting mechanisms that market economies and democratic societies have evolved over several centuries were either forgotten or assumed defunct. The language of biology has been applied to politics and economics, but rarely to the way they interact. Democratic capitalism’s equivalent of the biological survival instinct is a built-in capacity for solving social problems and meeting material needs. This capacity stems from the principle of competition, which drives both democratic politics and capitalist markets. Because market forces generally reward the creation of wealth rather than its destruction, they direct the independent efforts and ambitions of millions of individuals toward satisfying material demands, even if these demands sometimes create unwelcome by-products.** Because voters generally reward politicians for making their lives better and safer, rather than worse and more dangerous, **democratic competition directs political institutions toward solving rather than aggravating society’s problems, even if these solutions sometimes create new problems of their own. Political competition is slower and less decisive than market competition, so its self-stabilizing qualities play out over decades or even generations, not months or years.** But regardless of the difference in timescale, **capitalism and democracy have one crucial feature in common: Both are mechanisms that encourage individuals to channel their creativity, efforts, and competitive spirit into finding solutions for material and social problems. And in the long run, these mechanisms work very well.** If we consider **democratic capitalism as a successful problem-solving machine**, the implications of this view are very relevant to the 2007-09 economic crisis, but diametrically opposed to the conventional wisdom that prevailed in its aftermath. Governments all over the world were ridiculed for trying to resolve a crisis caused by too much borrowing by borrowing even more. Alan Greenspan was accused of trying to delay an inevitable "day of reckoning” by creating ever-bigger financial bubbles. Regulators were attacked for letting half-dead, “zombie” banks stagger on instead of putting them to death. But these charges missed the point of what the democratic capitalist system is designed to achieve. **In a capitalist democracy whose raison d’etre is to devise new solutions to long-standing social and material demands, a problem postponed is effectively a problem solved. To be more exact, a problem whose solution can be deferred long enough is a problem that is likely to be solved in ways that are hardly imaginable today. Once the self-healing nature of the capitalist system is recognized, the charge of “passing on our problems to our grand-children”**—whether made about budget deficits by conservatives or about global warming by liberals—**becomes morally unconvincing. Our grand-children will almost certainly be much richer than we are and will have more powerful technologies at their disposal. It is far from obvious, therefore, why we should make economic sacrifices on their behalf.** Sounder morality, as well as economics, than the Victorians ever imagined is in the wistful refrain of the proverbially optimistic Mr. Micawber: **"Something will turn up."**

#### ( ) Alt’s co-opted and causes violence

Pinker ’11 (Steven, the Economist, The violent dangers of ideology; The Q&A: Steven Pinker, Proquest)

You equate Marxist ideology with violence in the book. **Do you think that capitalist values have contributed to the decline of violence?** I think that **communism was a major force for violence for more than 100 years, because it was built into its ideology that progress comes through class struggle, often violent**. **It led to the widespread belief that the only way to achieve justice was to hurry this dialectical process along, and allow the oppressed working classes to carry out their struggle against their bourgeois oppressors**. However **much we might deplore the profit motive, or consumerist values, if everyone just wants iPods we would probably be better off than if they wanted class revolution.**

### AT: Defend Against State

#### 1) State’s inevitable and alt doesn’t solve—you couldn’t overthrow a state with *aircraft carriers* using *handguns*—that also means working *in the system* is best—it’s try or die for reform

#### 2) Assault weapons solve anyways—still accessible—no reason why handguns are key—we allow revolution but prevent heat-of-the-moment murders

#### 3) Non-unique—background checks in the squo mean state can take guns from state-desginated terrorists

### Cap Good

#### Cap solves warming

Whitman ’08 (Janet, February 19, pg. http://www.financialpost.com/story.html?id=317551)

**Global warming may soon get a saviour more effective than Al Gore** and his doomsday Power-Point presentations: **capitalism.** The former U.S. vice-president, who was awarded the Nobel Peace Prize last year for his work on climate change, is credited with bringing widespread attention to the issue. **But the huge moneymaking opportunity in going green will be the big driver that leads to the reining in of the release of greenhouse gasses**, experts say. **Money already is pouring into environmental initiatives and technologies in the U**nited **S**tates. **Experts expect investment in the area to explode over the next few years if, as anticipated, the government here imposes restrictions on the release of gases believed to be behind climate change. "Capitalism will drive this,**" said Vinod Khosla, founding chief executive of Sun Microsystems and a longtime venture capitalist. Mr. Khosla, speaking on a panel at a recent investment summit on climate change at United Nations headquarters here, said **getting consumers to curb their energy use has never worked -- unless they've had a financial incentive. "If we make it economic, it will happen,"** he said. The expected government-mandated cap on carbon emissions already is fueling innovation. **Venture capitalists,** for **instance, are investing in new technologies that would make cement -- a major producer of carbon emissions -- actually absorb carbon instead.** Cement makers could practically give the product away and reap the financial reward from government carbon credits.

#### Cap solves war

Harrison ’11 (Mark, Department of Economics, University of Warwick, Centre for Russian and East European Studies, University of Birmingham, Hoover Institution on War, Revolution, and Peace, Stanford University, “Capitalism at War”, Oct 19 http://www2.warwick.ac.uk/fac/soc/economics/staff/academic/harrison/papers/capitalism.pdf)

Capitalism’s Wars America is the world’s preeminent capitalist power. According to a poll of more than 21,000 citizens of 21 countries in the second half of 2008, people tend on average to evaluate U.S. foreign policy as inferior to that of their own country in the moral dimension. 4 While this survey does not disaggregate respondents by educational status, **many** apparently knowledgeable people also **seem to believe that, in the modern world, most wars are caused by America**; this impression is based on my experience of presenting work on the frequency of wars to academic seminars in several European countries. **According to the evidence, however, these beliefs are mistaken**. We are all aware of **America’s wars, but they make only a small contribution to the total**. **Counting all bilateral conflicts** involving **at least the show of force from 1870 to 2001, it turns out that the countries that originated them come from all parts of the global income distribution** (Harrison and Wolf 2011). **Countries that are richer, measured by GDP per head**, **such as America do not tend to start more conflicts**, although there is a tendency for countries with larger GDPs to do so. **Ranking countries by the numbers of conflicts they initiated, the United States, with the largest economy, comes only in second place; third place belongs to China. In first** **place is Russia** (the USSR between 1917 and 1991). **What do capitalist institutions contribute to the empirical patterns in the data?** Erik Gartzke (2007) has re-examined the hypothesis of the “democratic peace” based on the possibility that, **since capitalism and democracy are highly correlated across countries and time, both democracy and peace might be products of the same underlying cause, the spread of capitalist institutions**. It is a problem that our historical datasets have measured the spread of **capitalist property rights and economic freedoms** over shorter time spans or on fewer dimensions than political variables. For the period from 1950 to 1992, Gartzke uses a measure of external financial and trade liberalization as most likely to signal robust markets and a laissez faire policy. **Countries that share this attribute of capitalism above a certain level, he finds, do not fight each other, so there is capitalist peace as well as democratic peace**. Second, **economic liberalization** (of the less liberalized of the pair of countries) **is a more powerful predictor of bilateral peace than democratization, controlling for the level of economic development and measures of political affinity.**

#### Cap solves environmental destruction

Veer 12(Pierre-Guy, Independent journalist writing for the Von Mises Institute, 5/2, “Cheer for the Environment, Cheer for Capitalism,” http://www.mises.ca/posts/blog/cheer-for-the-environment-cheer-for-capitalism/)

No Ownership, No Responsibility **How can such a negligence have happened?** It’s simple: **no one was the legitimate owner of the resources** (water, air, ground). **When a property is state-owned** – as was the case under communism – **government has generally little incentive to sustainably exploit it**. **In communist Europe**, **governments wanted to industrialize their country in order**, they hoped, **to catch up with capitalist economies**. **Objectives were set, and they had to be met no matter what. This included the use of brown coal, high in sulfur and that creates heavy smoke** when burned[4], **and questionable farming methods**, which depleted the soil. This lack of vision can also be seen in the public sector of capitalist countries. In the US, the Department of Defense creates more dangerous waste than the top five chemical product companies put together. In fact, pollution is such that cleanup costs are estimated at $20 billion. The same goes for agriculture, where Washington encourages overfarming or even farming not adapted for the environment it’s in[5]. Capitalism, the Green Solution **In order to solve most of the pollution problems, there exists a simple solution: laissez-faire capitalism, i.e. make sure property rights and profitability can be applied**. **The latter helped Eastern Europe**; when communism fell, **capitalism made the countries seek profitable** – and not just cheap – **ways to produce, which greatly reduced pollution**[6]. As for the former, it proved its effectiveness, notably with the Love Canal[7]. **Property rights are also thought of in order to protect some resources, be it fish**[8] **or endangered species**[9]. **Why such efficiency? Because an owner’s self-interest is directed towards the maximum profitability** of his piece of land. **By containing pollution – as Hooker Chemicals did with its canal – he keeps away from costly lawsuit for property violation**. At the same time, **badly managed pollution can diminish the value of the land, and therefore profits. Any entrepreneur with a long-term vision** – and whose property is safe from arbitrary government decisions – **thinks about all that in order to protect his investment**. One isn’t foolish enough to sack one’s property! In conclusion, I have to mention that I agree with environmentalists that it is importance to preserve the environment in order to protect mother nature and humans. However, I strongly disagree with their means, i.e. government intervention. Considering it very seldom has a long-term vision, it is the worst thing that can happen. In fact, one could says that **most environmental disasters are**, directly or indirectly, **caused** by the State, mainly **by a lack of clear property rights**. Were they clearer, they would let each and everyone of us, out of self-interest, protect the environment in a better manner. That way, everyone’s a winner.

### AT: Root Cause

#### Your root cause claims are flawed

Larrivee ’10— PF ECONOMICS AT MOUNT ST MARY’S UNIVERSITY – MASTERS FROM THE HARVARD KENNEDY SCHOOL AND PHD IN ECONOMICS FROM WISCONSIN, 10 [JOHN, A FRAMEWORK FOR THE MORAL ANALYSIS OF MARKETS, 10/1, <http://www.teacheconomicfreedom.org/files/larrivee-paper-1.pdf>]

The Second Focal Point: Moral, Social, and Cultural Issues of Capitalism ***Logical errors abound* in critical commentary on capitalism. Some critics observe a problem and conclude: “I see X in our society. We have a capitalist economy. Therefore capitalism causes X.**” They draw their conclusion by looking at a phenomenon as it appears only in one system. Others merely follow a host of popular theories according to which capitalism is particularly bad. 6 **The solution to such flawed reasoning is to be comprehensive, to look at the good and bad**, in market and non-market systems. Thus the following section considers a number of issues—greed, selfishness and human relationships, honesty and truth, alienation and work satisfaction, moral decay, and religious participation—that have often been associated with capitalism, but have **also been problematic in other systems and usually in more extreme form**. I conclude with some evidence for the view that markets foster (at least some) virtues rather than undermining them. My purpose is not to smear communism or to make the simplistic argument that “capitalism isn’t so bad because other systems have problems too.” **The critical point is that certain people thought various social ills resulted from capitalism, and on this basis they took action to establish alternative economic systems to solve the problems they had identified. That *they failed to solve the problems*, and in fact *exacerbated them* while also creating new problems, implies that capitalism itself wasn’t the cause of the problems in the first place**, at least not to the degree theorized.

### AT: Historical Materialism

#### The materialist view of history is inaccurate and shuts down the possibility for radical change

Giroux, chair Global Network Television @ McMaster, 1984 [Henry A. “Marxism and Schooling: The Limits of Radical Discourse.” EDUCATIONAL THEORY, Spring, Vol. 34, No. 2]

Aronowitz’s refusal to limit the meaning of culture and ideology to the primacy of class boundaries provides a theoretical basis for rejecting the logic of the two-class model of capitalist society that has been the hallmark of both classical and revisionist Marxist theory. Underlying the rejection of this model is a more dialectical notion of ideology, contestation, and historical change. On one level, it is argued that there is no universal class interest that defines the substance and nature of class struggle. Since workers are formed as a result of many different ideological and social interactions, there is no privileged economic interest that either shap.es their consciousness or mediates their political activity. This becomes clearer when it is understood that class position represents only one terrain where contradictions are rooted and struggles emerge. Contradictions and forms of oppression are also rooted in sexual, ethnic, and racial social practices and hierarchies, which cause antagonisms within the working class itself and make problematic the Marxist notion of historical inevitability. That is, Marxism’s obsession with the two-class model of capitalist society has been falsely predicated, according to Aronowitz, on the notions that class formation and political struggle can be reduced to the ineluctable laws and structure of history. Far from being the outcome of contradictions produced in the labor process, the march of history represents the intervention of political subjects formed in many different sites who engage in struggles which may have many different outcomes. This is not to deny the importance of immediate producers as a possible source of struggle as much as it is to point to the way in which culture and ideology become primary determinants in the shaping of human behavior. Moreover, it suggests that radical theory needs a new view of both hegemony and social time. A principal assumption underlying Aronowitz’s argument is that the notion of hegemony is a much broader category than class as a unit of analysis suggests. Neither the exercise of power in the interest of domination nor the attempt of a social group to attain political ascendancy can be defined solely through the category of class rule and formation. For instance, the rise of new social movements around issues such as race, ecology, feminism, and sexual freedom speak to forms of hegemony and struggle that cannot be subsumed within the logic of class struggle. Such movements generally circumvent traditional Marxist analysis by posing questions about both domination and liberation that not only exist outside of most Marxist discourse, but often are also at odds with basic Marxist assumptions regarding how human subjects get constituted through their relations with nature and each other. This is evident regarding the traditional Marxian notion of social time. Combining his own theoretical insights with the work of Bloch, Benjamin, and Foucault, Aronowitz argues that the Marxian notion of social time is flawed in a double sense.2’ First, its notion of historical necessity has given rise to an approach that underplays the radical discontinuities that exist in history. Underlying the Marxist theory of history is the assumption that an internal evolutionary logic characterizes the development of the forces of production along with class relations and class struggles.= For Aronowitz, it is in the internal tensions, the ruptures, and the margins of history that “one ‘squeezes’ out the event, the details, the apparent insignificance or trivial features of institutional life in order to find something that may discover the episteme, a category connoting the way a historical period ‘sees’ social life.”= The point here is that great historical events may conceal more than they reveal. Moreover, as Foucault has demonstrated, the issue of historical understanding is predicated on the deconstructing of events, texts, and images that make up the past. History has no essence, therefore its meaning is to be found not only in what is included in mainstream explanations, for instance, but also in what is excluded. The key methodological concept in this form of historical inquiry is Foucault’s principle of reversal. Aronowitz is worth quoting at length on this issue: Foucault‘s first principle is reversal. We must recognize the negative activity of cutting out and rarefaction of discourse. In his analysis of the literary text Macherey asserts that a text is constituted not only by its presences, but also by its absences. The privileging of absences in Foucault, as well as in others, makes possible the development of a new kind of historical explanation. Foucault is an active militant in the fight for the reform of the French prison system and for gay rights . . . Foucault’s politics of marginality derives from the principle of reversal. For to look at the mainstream is to participate in the discourse of power, and it is only by the “squeezing” out of events which appear on the surface to be reasonably insignificant that we begin to find the possibility of achieving some degree of signification.” What this new type of historical explanation suggests is that the present gives rise to the past, a notion derived from a reading of the radical discontinuities of history, for example, discontinuities such as the Nazi-Soviet pact of the 193Os, the integration of the working class as part of capitalist society, and the rise of the welfare state in Western societies. To understand these events is to turn away from the logic of historical necessity as it informs Marxist theory and to focus instead on what Benjamin called the traces and fleeting images of history for clues to how history is constituted and what the future portends?’ Second, the notion of social time in Marxist discourse is flawed because of its refusal to acknowledge how the multilayering of the past, present, and the future is present in the sedimented histories and discourses that constitute various individuals and social groups. There is no pure notion of uniform time characterizing either the historical subject or material culture. For instance, borrowing from Bloch’s notion of the nonsynchronous in history, Aronowitz argues, “Not all people exist in the same now?\* Moreover, it is further argued that Marxism reveals its positivist ideology in its willingness to ignore the multilayered and dialectical nature of reality, in its willingness to ignore all differences and contradictions except those granted to class formation and struggle. This is an important theoretical twist, and it is within Aronowitz’s critique of economic and class reductionism that he develops an analysis of how Marxism remains a captive of scientism and provides the theoretical basis for an alternative radical discourse. It is to these issues that I will now turn.

### AT: Giroux

**[from PV Pen]**

#### Debates about pro-social state action in educational spaces combat depoliticization and prevent government actors from controlling politics.

Giroux 6 [(Henry, sociologist) “The abandoned generation: The urban debate league and the politics of possibility” from America on the Edge] AT

￼The decline of democratic values and informed citizenship can be seen in research studies done by The Justice Project in 2001 in which a substantial number of teenagers and young people were asked what they thought democracy meant. The answers testified to a growing depoliticization of American life and largely consisted of statements along the following lines: "Nothing," "I don't know," or "My rights, just like, pride, I guess, to some extent, and paying taxes," or "I just think, like, what does it really mean? I know its our, like, our government, but I don't know what it 6 technically is." The transition from being ignorant about democracy to actually sup- porting antidemocratic Tendencies can be seen in a number of youth surveys that have been taken since 2000. For instance, a survey released by the University of California, Berkeley, revealed that 69 percent of students support school prayer and 44 percent of young people aged fifteen to twenty-two support government restric- tions on abortions. A 2004 survey of 112,003 high school students on First Amendment rights showed that one third of students surveyed believed that the First Amendment went too far in the rights it guarantees and 36 percent believed that the press enjoyed too much freedom. This suggests not just a failing of education, but a crisis of citizenship and democracy. ￼One consequence of the decline in democratic values and citizenship literacy is that all levels of government are being hollowed our, their role reduced to dismantling the gains of the welfare state as they increasingly construct policies that ￼criminalize social problems and prioritize penal methods over social investments. When citizenship is reduced to consumerism, it should come as no surprise that people develop an indifference to civic engagement and participation in democratic public life. Unlike some theorists who suggest that politics as critical exchange and social engagement is either dead or in a state of terminal arrest, I believe that the current depressing state of politics points to an urgent challenge: reformulating the crisis of democracy as a fundamental crisis of vision, meaning, education, and political agency. Central to my argument is the assumption that politics is not simply about power, but also, as Cornelius Castoriadis points out, "has to do with political judgments and value choices," meaning that questions of civic education—learning how 8 to become a skilled citizen—afe central to democracy itself. ￼Educators at all levels need to challenge the assumption that politics is dead, or the nature of politics will be determined exclusively by government leaders and experts m the heat of moral frenzy. Educators need to take a more critical position, arguing that knowledge, debate, and dialogue about pressing social problems offer individuals and groups some hope in shaping the conditions that bear down on their lives. Public civic engagement is essential if the concepts of social life and the public sphere are to be used to revitalize the language of civic education and democratization as part of a broader discourse of political agency and critical citizenship in a global world. Linking the social to democratic public values represents an attempt, however incomplete, to link democracy to public action, as part of a comprehensive attempt to revitalize civic activism and citizen access to decision-making while simultaneously addressing basic problems of social justice and global democracy. ￼Educators within public schools need to find ways to engage political issues by making social problems visible and by debating them in the political sphere. They also need to be at the forefront of the defense of the most progressive historical advances and gains of the state. 1-rcnch sociologist Pierre Bourdieu is right when he calls for collective work by educators to prevent those who arc mobilized against the welfare state from destroying the most precious democratic conquests in labor legislation, health, social protection, and education.'' At the very least, this would suggest that educators should defend schools as democratic public spheres, struggle against the de-skilling of teachers and students that has accompanied the emphasis on teaching for test-taking, and argue for pedagogy grounded in democratic values rather than testing schemes that severely limit the creative, ethical, and liberatory potential of education.

### AT: Trifonas

**[from PV Pen]**

#### Goes aff –

#### Here’s the small text – “perception is a necessary but not a sufficient condition for liberation; it must become the motivating force for liberating action” – that means perm is better since questioning alone is useless

#### Another quote – “Although the dialectical relations of men with the world exist independently of how these relations are perceived (or whether or not they are perceived at all)” – perception is important only as it influences action

#### It’s out of context – the card is about “teaching against the grain” and how colorblind treatment in classrooms is bad – it doesn’t even mention policy focus or discuss discursive/methodological focus

#### This isn’t debate functional since deciding who better “poses the difficult questions” is impossible – questioning is not enough – Trifonas specifically says praxis involves “reflection and action upon the world in order to transform it”

#### Topical debate also necessitates the impact Trifonas appeals to, since it forces us to reconsider the assumptions behind notions of punishment and responsibility, which permeates almost any layer of social or political interaction. Trifonas doesn’t claim to be solving any impacts of political marginalization, so if debating is a matter of developing critical skills then it collapses to comparison of the way we want to change the system.

#### The judge’s primary obligation is to adjudicate the round in terms of the topic, not intervene to prefer certain types of argumentation. This serves as at least a minimal constraint on the arguments we can run since there would be no unique value to debate if we just created classroom-like discussions that didn’t encourage competition. Competitive success is empirically what motivates debaters to participate in the activity and glean its educational benefits – if you don’t believe me, let my opponent concede the round.

#### Restraints on arguments are good since otherwise we wouldn’t be able to substantively engage one another, since there would be no limits on debate beyond “going against the grain.” The topic serves as a predictable limit that facilitates clash since otherwise the most strategic thing for debaters to do would be to outdo each other in social criticism rather than engage in clash.

## AT: Zizek

### 1AR Cards

#### Cut some updates, Zizek’s changed his mind again—specific demands for policy change are essential to radical politics because they reimagine the political subject’s relation to universality

Leung ’12 Gilbert Leung, “Rights, Politics and Paradise: Notes on Zizek’s Silent Voice of a New Beginning,” Critical Legal Thinking, 3/14/2012, http://criticallegalthinking.com/2012/03/14/rights-politics-and-paradise-notes-on-zizek/

Zizek starts off by out­lining his basic pos­i­tion on human rights, which can be found in the Par­al­lax View. He also relays some newer thoughts. Briefly, he now recognizes formal human rights as a necessity only inso­far as real freedom can emerge in antagonistic relation to them. In other words, formal human rights represent false freedom but are, nevertheless, the only avenue through which actual freedom can appear. So we have the formal form of the rights of man, which were ini­tially restric­ted to wealthy male cit­izenry, but later went on to include women, chil­dren, black people, etc. because of the demand to be coun­ted. Zizek claims all eman­cip­at­ory move­ments, includ­ing Marx­ism, can be con­ceived in terms of a radicalization of human rights. What is universal in human rights is not a particular set of values, Western or otherwise, but the right to universality as such, the political subject’s right to seek and to formulate its own universality. At least one way this can be done, he implies, is through the for­mu­la­tion of demands; and in the con­text of cur­rent protests, what is needed is the art of for­mu­lat­ing the right demand and insist­ing on it. Prac­tic­ally speak­ing, this means we should not simply demand the impossible. Nor should we simply demand the pos­sible. Accord­ing to Zizek, the art is to formulate a realistic demand that so profoundly challenges the established order that its realization only seems impossible. Universal health care in the USA is one example. The end of tax avoid­ance by the super rich could be another. At the same time, it should be made clear that this is only a begin­ning. More radical demands would come in due course. Zizek has been arguing for a long time that to effect real change, the first step we need to take is a back­wards one, to retreat from pseudo-​​activities that make us feel as if we are doing some­thing — includ­ing ad hoc and eph­em­eral protests — but which in real­ity change noth­ing. Such a retreat he has called “pass­ive aggressiv­ity”: the potent ges­ture of with­drawal from sys­tems of ideo­lo­gical repres­sion, the dig­ni­fied and even Ghan­dian refusal to par­ti­cip­ate. In this con­text, the title of his talk makes sense: the silent voice of a new begin­ning is the with­drawal from hege­monic dis­courses, the ‘no, we would prefer not to’ that pre­cedes the ‘yes, we demand’. Today, Zizek sees the need for more. Say­ing ‘no’ is the first step, but the subsequent affirmation of the necessity for change requires not only the for­mu­la­tion of polit­ical demands, but also some idea of how an alternative society can be organized; or in his words: “ … I think it is important that we start to shift focus from the purely, let me call it ‘negative gesture’ — we reject this debt — to at least try to play with, to imagine, altern­at­ive modes of organization” [58m22s]. Zizek is con­cerned with ensur­ing the protests effect real change and with how any change can be main­tained while avoid­ing the spectre of total­it­ari­an­ism. Using Greece as an example, he won­ders how things would be organ­ized if the State were to col­lapse and the ‘people’ were to take over. What would hap­pen at such a juncture?

#### Zizek’s fetishization of pure political Acts is a vestige of cynical conservatism—allows the subject to disavow any success as ‘un-political’ to avoid the messy work of incrimentalism

Wolfe ’13 Cary Wolfe, Before the Law: Humans and Other Animals in a Biopolitical Frame, University of Chicago Press, 2013, p. 28-30

Zizek, for his own part, finds much to admire in Badiou’s posture, and indeed endorses his “mieux vaut un désastre qu3un désètre, so shocking for the liberal sensitivity: better the worse [sic] Stalinist terror than the most liberal capitalist democracy.” Zizek immediately adds that “of course” when one compares the “positive content” of the two, the latter is “ incomparably better,” but what is important is “ the formal aspect” opened up by the former vis-à-vis “normal” social life.90 For this reason, Zizek admires the practice employed by the Vietcong (made famous in the film Apocalypse Now) of cutting off all of the arms of village children that had been vaccinated by US forces the day before. And he adds, with a truly remarkable lack of irony, “ although difficult to sustain as a literal model to follow, this thorough rejection of the Enemy precisely in its helping ‘humanitarian’ aspect, no matter what the costs, has to be endorsed in its basic intention.”91 “ In a similar way,” he continues, when Sendero Luminoso took over a village, they did not focus on killing the soldiers or policemen stationed there, but more on the UN or U.S. agricultural consultants or health workers trying to help the local peasants. . . . Brutal as this procedure was, it was sustained by the correct insight: they, not the police or army, were the true danger, the enemy at its most perfidious, since they were “lying in the guise of truth”—the more they were “innocent” (they “really” tried to help the peasants), the more they served as a tool of the United States. It is only such a strike against the enemy . . . that displays a true revolutionary autonomy and “sovereignty.”92 Here, as in Agamben’s discussion of the “profanation” of apparatuses, we find the romance of a clean, single line between the space of “genuine” versus merely reformist politics, only here it is the space not of désoeuvrement but of an “ act” that makes no sense within the existing Symbolic order, an act that is “impossible” and for that very reason “political.”93 And here, as in Agamben and Badiou, £izek’s language is telling. In such a space, “ everything is to be endorsed” including “religious ‘fanaticism’” ; what is wanted is a “ leap of faith,” the ability to “step out of the global circuit.”94 Gestures of “pure expenditure” “pure self-destructive ethical insistence, with, apparently, no political goal” are to be endorsed.95 Though Zizek tries to finesse the point, it is clear that the genuinely political involves the subordination of strategic political interventions to this new space which, defined as it is by its pure not-ness in relation to the existing Symbolic structure, partakes of the logic of negative theology. Transcendence or nothing—that is “ true” politics. Now I hasten to add that I agree with Zizek’s discussion of “democracy” and his critique of the liberal knee-jerk reaction toward “fanaticism,” just as I endorse Rancière’s insistence on the importance of the specific conjunctures of political dissensus that get steamrollered by Agamben’s ontotheological procedure. But what is fascinating in all these examples is the almost hysterical condemnation and disavowal of embodied life as something constitutively deficient, something that always already has to be redeemed by its radical subordination to a “genuinely political” project for which it is merely the vehicle, merely the gateway to “ the immortal” or “the infinite.” And so one has to wonder, pace Rancière, if the problem here is not with ethics but with politics now conceived as the realm of “Good versus Evil.” One might pause at this juncture to entertain any number of obvious questions: Are we not witnessing here (as even the most sophomoric psychoanalytic analysis would surely note) a nearly stereotypical disavowal of the fact of our embodied existence that links us fatefully to mortality, and thus to a domain of contingency over which we finally have less than complete control? Is it possible— to stay with that well-worn psychoanalytic motif a bit longer—that we are seeing here the “ acting out” of a generation of older (white) (male) (Western) intellectuals who, embittered by the failure during their lifetimes of a “genuinely” “ revolutionary” politics, cling ever more desperately to a new sort of “jargon of authenticity” (to use Adorno’s phrase), a stark Manichaean opposition of “ strong” vs. “weak,” “radical” vs. “reformist,” “ true” vs. “ illusory,” “ inside” vs. “outside,” and so on? Do we not indeed find here, as Simon Critchley and others have observed, a tiresome posturing of heroism, machismo, and virility that ought to beg the very kinds of psychoanalytic questions that Zizek himself would be the first to call to our attention (or so one would think)?96 Is this not indeed a rather familiar type of theology, a “keeping of the faith” in the face of the “televangelization” and suburbanization of religion in the West? In fact, as a number of critics have noted, the rescripting of various religious impulses and imperatives as part of a reclamation of Marxism as an authentic revolutionary moral legacy perhaps should give us pause in an era defined by the Manichaean struggle between Bush’s evangelism and Bin Laden’s fundamentalism.97

#### Non-falsifiable

Kirsch 8 – senior editor of The New Republic

(Adam, The New Republic, “The Deadly Jester,” http://www.tnr.com/story\_print.html?id=097a31f3-c440-4b10-8894-14197d7a6eef)

When Zizek employed this phrase as the title of a short book about the September 11 attacks and their aftermath, he was not making an ironic pop reference. He was drawing an edifying parallel. Why is it, the communist revolutionary must inevitably reflect, that nobody wants a communist revolution? **Why do people in the West seem so content in what Zizek calls "the Francis Fukuyama dream of the 'end of history'"? For most of us, this may not seem like a hard question to answer: one need only compare the experience of communist countries with the experience of democratic ones. But Zizek is not an empiricist, or a liberal, and he has another answer. It is that capitalism is the Matrix, the illusion in which we are trapped.** This, of course, is merely a flamboyant sci-fi formulation of the old Marxist concept of false consciousness. **"Our 'freedoms**,'" Zizek writes in *Welcome to the Desert of the Real*, **"themselves serve to mask and sustain our deeper unfreedom." This is the central instance in Zizek's work of the kind of dialectical reversal**, the clever anti-liberal inversion, that is the basic movement of his mind. It could hardly be otherwise, considering that **his intellectual gods are Hegel and Lacan**--masters of the dialectic, **for whom reality never appears except in the form of the illusion** or the symptom. **In both their systems, the interpreter**--the philosopher for Hegel, the analyst for Lacan--**is granted absolute, unchallengeable authority.** **Most people are necessarily in thrall to appearances, and thereby to the deceptions of power; but the interpreter is somehow immune to them**, **and can singlehandedly recognize and expose the hidden meanings**, the true processes at work in History or in the Unconscious.

## AT: Nietzsche

### 1AR

#### 1] Perm – do the plan and embrace any other instances of suffering

#### 2] Perm do both

#### 3] Turn—the alt empirically leads to genocide

Simpson 95 (Chris, scholar in Human Rights and the merits of Democracy. Common Courage Press, “The Splendid Blond Beast” 1995. http://www.thirdworldtraveler.com/Genocide/SplendidBlondeBeast.html AD 7/8/09) JM

Friedrich Nietzsche called the aristocratic predators who write society's laws "the splendid blond beast" precisely because they so often behave as though they are beyond the reach of elementary morality. As he saw things, these elites have cut a path toward a certain sort of excellence consisting mainly of the exercise of power at the expense of others. When dealing with ordinary people, he said, they "revert to the innocence of wild animals.... We can imagine them returning from an orgy of murder, arson, rape and torture, jubilant and at peace with themselves as though they had committed a fraternity prank-convinced, moreover, that the poets for a long time to come will have something to sing about and to praise.'' Their brutality was true courage, Nietzsche thought, and the foundation of social order. Today genocide-the deliberate destruction of a racial, cultural, or political group-is the paramount example of the institutionalized and sanctioned violence of which Nietzsche spoke. Genocide has been a basic mechanism of empire and the national state since their inception and remains widely practiced in "advanced" and "civilized" areas. Most genocides in this century have been perpetrated by nation-states upon ethnic minorities living within the state's own borders; most of the victims have been children. The people responsible for mass murder have by and large gotten away with what they have done. Most have succeeded in keeping wealth that they looted from their victims; most have never faced trial. Genocide is still difficult to eradicate because it is usually tolerated, at least by those who benefit from it.

#### 3] Perm – Do the plan then the alt – their impacts claim no time frame.

#### 4] Turn— alt makes rape and violence not only okay but also desirable—independent reason to drop him

Ross 8 (Kelly L., PhD, Department of Philosophy, Los Angeles Valley College. Friesian.com, “Friedrich Nietzsche”, last updated in 2008. http://www.friesian.com/NIETZSCH.HTM AD 7/9/09) JM

But, one might think, violence and oppression are unjust! How could any progressive person not see that exploitation and abuse are wrong! We have Nietzsche's answer: No act of violence, rape, exploitation, destruction, is intrinsically "unjust," since life itself is violent, rapacious, exploitative, and destructive and cannot be conceived otherwise. Even more disturbingly, we have to admit that from the biological [i.e. Darwinian] point of view legal conditions are necessarily exceptional conditions, since they limit the radical life-will bent on power and must finally subserve, as means, life's collective purpose, which is to create greater power constellations. To accept any legal system as sovereign and universal -- to accept it, not merely as an instrument in the struggle of power complexes, but as a weapon against struggle (in the sense of Dühring's communist cliché that every will must regard every other will as its equal) -- is an anti-vital principle which can only bring about man's utter demoralization and, indirectly, a reign of nothingness. [p.208, boldface added] Nietzsche is certainly life affirming, but then violence, rape, exploitation, and destruction are intrinsic to his view of life. Attempts to protect the weak, see that justice is done, and mitigate suffering are "anti-vital" projects that, being adverse to life itself, actually tend towards "a reign of nothingness." Thus, if we actually care about others and are not just interested in asserting power over them and using them for our own pleasure, then we can look forward to extinction. The delicacy -- even more, the tartufferie -- of domestic animals like ourselves shrinks from imagining clearly to what extent cruelty constituted the collective delight of older mankind, how much it was an ingredient of all their joys, or how naïvely they manifested their cruelty, how they considered disinterested malevolence (Spinoza's sympathia malevolens) a normal trait, something to which one's conscience could assent heartily.... To behold suffering gives pleasure, but to cause another to suffer affords an even greater pleasure. [pp.197-198, boldface added] A great part of the pleasure that we get, according to Nietzsche, from injustice to others is simply the pleasure of inflicting suffering. In this it is worth recollecting the feminist shibboleth that rape is not about sex, it is about power. Nietzsche would heartily concur. So much the better! And what is more, the value of rape is not just power, it is the chance to cruelly inflict suffering. The rapist who beats and mutilates, perhaps even kills, his victim, has done no evil, he is instead one of the heroes of true historic nobility. And people think that the droit de seigneur represents some "abuse" of power! No! It is the truly noble man as heroic rapist! Nietzsche would turn around Susan Brownmiller, who said that all men are rapists. No, it is just the problem that they are not. Nietzsche would regard most men as virtual castrati (domestic oxen, geldings) for not being rapists.

#### 5] Nietzsche implicitly says that even the most superior are still weak and true autonomy can’t exist – the alternative can’t ever be fully realized.

**Golomb 6** (Jacob, Hebrew University of Jerusalem. The Journal of Nietzsche Studies 32, “Can One Really Become a "Free Spirit Par Excellence"or an Übermensch?” 2006. Project Muse, AD 7/8/09) JM

In HAH Nietzsche suggests that the highly developed spiritual and intellectual component of power may weaken even the most superior personality. Because they are genuinely free and independent, they are unlikely to adhere to any rigid and inflexible set of norms: the values they possess are open to examination and susceptible to being "overcome." They will, then, be more vulnerable to the surreptitious indoctrination and devious manipulations that the weak use against them. Their freedom from any given tradition induces a kind of vulnerability, though it allows them to oscillate perpetually among whatever possibilities they may encounter. Hence, in historical praxis, this dynamic may produce an impressionable personality, susceptible to manipulation and exploitation: "Compared with him who has tradition on his side and requires no reasons for his actions, the free spirit is always weak, especially in actions; for he is aware of too many motives and points of view and therefore possesses an uncertain and unpracticed hand. What means are there of nonetheless rendering him relatively strong? How does the strong spirit come into being?" (HAH I:230). [End Page 24] The problem may be recast as that of turning purely spiritual power into a concrete historical force: Is it possible to preserve the spirit of Hamlet in the body of Faust? Nietzsche's solution focuses on the social fabric woven with religious and moral dogmas that produces a psychological pattern of guilt, vengeance, and bad conscience. These are the weakest threads of culture, responsible for the corruption of spiritual power and cultural achievements. In emphasizing these elements, Nietzsche implicitly admits that there can be no absolute autonomy; even the most powerful are not impervious to the influence of the environment with which they interact. The revaluation of prevalent cultural norms is essential to the evolution of the psychology of the Übermensch, because even the arena of the "authentic legislator" is penetrated by environmental values and forces. Hence it becomes clear that the Übermensch type is essentially different from the free spirit par excellence. The latter, namely, the absolutely autonomous will to power, is, therefore, no more than a regulative idea—one that provides the model for approximation but which can in principle

#### Nietzsche’s affirmation of chaos is willful abandonment of all reason—we become mere pawns of fate, reduced to silence.

Wolin, 06 (The Seduction of Unreason: The Intellectual Romance with Fascism from Nietzsche to Postmodernism, Richard Wolin, Professor of History and Comparative Literature at the Graduate Center, City University).

**Once Nietzsche realized the illusory character of all language and human ends, silence became the only viable and honest response. Recourse to "consciousness" and "reason" would only falsify this profound realization**. The "vicious circle" Klossowski alludes to in his title expresses this dilemma. The act of turning the eternal return into a "doctrine" risks falsifying it, risks translating an unfathomable insight into the hackneyed terms of linguistic convention or "culture." The theory of eternal recurrence embodies a new "lucidity"; yet, paradoxically, this lucidity must remain inexpressible. For if such a lucidity is impossible, what the doctrine of the vicious Circle tends to demonstrate is that "belief" in the Return, adherence to the non-sense of life, in itself implies an otherwise impracticable lucidity. We cannot renounce language, nor our intentions, nor our willing; but we could evaluate this willing and these intentions in a different manner than we have hitherto evaluated them-namely, as subject to the "law" of the vicious Circle. **The vicious circle expresses the fundamental paradox of the human condition: "the only way we can overcome our servitude is by knowing we are not free.” We cannot escape the essential determinism of all being. Nevertheless, insight into this condition permits a measure of tragic superiority for a spiritual elite**, the "lucid few." **The anti-intellectual implications** of Klossowski's "parody" **of Nietzsche are stunning. They are tantamount to a willful abandonment of reason, history, and freedom.**

#### Political action isn’t nihilism – their link arguments are contrived and don’t assume a creative path of politics

Bourke 8 - (James, Graduate Student Department of Political Science Duke University, "Nietzsche\Connolly: Problems of a Nietzschean Democracy," http://www.allacademic.com//meta/p\_mla\_apa\_research\_citation/2/6/5/7/7/pages265777/p265777-1.php, AD: 7/8/09) jl

There are at least two ways of going about a critique of Connolly’s appropriation of Nietzsche. One would be largely hermeneutic, and might involve an attempt to show that **Nietzsche’s politics are aristocratic and inegalitarian in such a way that expropriating whatever we might like from this picture destroys the coherence of calling it a “Nietzschean” view in the first place.** To do this successfully one would not merely have to point out some of the many places where Nietzsche either attacks democracy or supports a radical aristocratic political visi[on.](http://www.allacademic.com/meta/p_mla_apa_research_citation/2/6/5/7/7/pages265777/mpsa08_proceeding_265777-4.html) [3](http://www.allacademic.com/meta/p_mla_apa_research_citation/2/6/5/7/7/pages265777/mpsa08_proceeding_265777-4.html) [O](http://www.allacademic.com/meta/p_mla_apa_research_citation/2/6/5/7/7/pages265777/mpsa08_proceeding_265777-4.html)ne would have to go further by showing the ways in which Nietzsche’s political views “hang together” in an overall coherent picture, extraction from which for non-Nietzschean purposes makes a mess of the whole. **One might add to this the claim that Nietzsche’s politics are embedded in an overall metaphysic** (though we might want to qualify the term “metaphysic” with a view to Nietzsche’s perspectivism and epistemological skepticism) of hierarchy and power. I will not attempt such a project here. First, even if, as I think is correct, Nietzsche presents a more or less coherent, though certainly not systematic, view by the time of his late works, it is not clear to me that one could successfully explain away all of the ambiguities and resistances that such a rich and protean thinker as Nietzsche consistently offers up. Moreover, and perhaps more importantly, **it is not clear what would be gained from such an effort by way of critical leverage over Connolly. Though this interpretation might advance the aim of getting Nietzsche “right,” if such a thing is possible, it is not clear that Connolly’s project is thereby undermined.** For **couldn’t Connolly insist that his ideas make sense on their own apart from the accuracy of his interpretations?** As Connolly has said in response to this kind of critic, **these are questions for the “academic police**[”](http://www.allacademic.com/meta/p_mla_apa_research_citation/2/6/5/7/7/pages265777/mpsa08_proceeding_265777-4.html) [4](http://www.allacademic.com/meta/p_mla_apa_research_citation/2/6/5/7/7/pages265777/mpsa08_proceeding_265777-4.html) [t](http://www.allacademic.com/meta/p_mla_apa_research_citation/2/6/5/7/7/pages265777/mpsa08_proceeding_265777-4.html)o resolve, **while** those **using Nietzsche creatively and in ways relevant to the present can consider their enterprise separate from the work of scholarly precision and accuracy. Getting Nietzsche right is less important** to Connolly **than is uncovering ways in which Nietzsche and others disclose political and ethical potentialities that can support the vibrancy of democracy.**

## AT: Biopower

### 1AR

#### ( ) No link—biopower isn’t the literal overt exercise of state power—it’s when those in power subtlety control knowledge and norms and lives—not just passing a ban

#### ( ) Permutation do both—net benefit is the aff

**( ) Perm do the aff and the alt in all other instances—double bind, either the alt is strong enough to overcome the link or the impact’s inevitable**

#### ( ) Our strategic engagement within the law is the only way to end biopolitical control

Edkins 7 (Jenny – Professor of International Politics at Aberystwyth University, “Whatever Politics,” in *Giorgio Agamben: Sovereignty and Life*, Ed. Calarco and DeCaroli, 2007, p. 84)

What is crucial here is whether the alternative Agamben proposes is radical enough. Does it entail a refusal of the machine, or merely a reinstatement of it with a different "definition" of what it means to be human? In The Open, Agamben does seem to reject Heidegger's problematic separation of Dasein, as a being that can see the open, from the animal, poor in world, that cannot.45 Ultimately, Agamben appears to be arguing that any negation of the machine cannot be accomplished on a philosophical plane, but only in terms of practice. In the end, practice or human action, not philosophy, is what counts. Ontology and philosophy are to be considered only to the extent that they are political operators and, specifically, biopolitical weapons in the service of the anthropological machine of sovereignty. In order to try to stop the biopolitical machine that produces bare life, what is needed is human action, "which once claimed for itself the name of 'politics'" (SE, 88). It is because there is no necessary articulation "between violence and law, between life and norm," that it is possible to attempt to interrupt or halt the machine, to "loosen what has been artificially and violently linked" (SE, 87). This opens a space for a return not to some "lost original state" but to human praxis and political action (SE, 88).

#### ( ) No biopolitics impact --- democracy checks

Dickinson 4 (Edward R. – Professor of History at UC Davis, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About “Modernity”,” in Central European History, Volume 37, Issue 1, March 2004, http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=2758180&fileId=S0008938900002776)

And it is, of course, embedded in a broader discursive complex (institutions, professions, fields of social, medical, and psychological expertise) that pursues these same aims in often even more effective and inescapable ways.89 In short, the continuities between early twentieth-century biopolitical discourse and the practices of the welfare state in our own time are unmistakable. Both are instances of the “disciplinary society” and of biopolitical, regulatory, social-engineering modernity, and they share that genealogy with more authoritarian states, including the National Socialist state, but also fascist Italy, for example. And it is certainly fruitful to view them from this very broad perspective. But that analysis can easily become superficial and misleading, because it obfuscates the profoundly different strategic and local dynamics of power in the two kinds of regimes. Clearly **the democratic welfare state** is not only formally but also substantively quite different from totalitarianism. Above all, again, **it has nowhere developed the fateful**, **radicalizing dynamic that characterized National Socialism** (or for that matter Stalinism), the psychotic logic that leads from economistic population management to mass murder. Again, there is always the potential for such a discursive regime to generate coercive policies. In those cases in which the regime of rights does not successfully produce “health,” such a system can —and historically does— create compulsory programs to enforce it. But again, there are political and policy potentials and constraints in such a structuring of biopolitics that are very different fromthose ofNational Socialist Germany. Democratic biopolitical regimes require, enable, and incite a degree of self-direction and **participation that is functionally incompatible with authoritarian or totalitarian structures**. And this pursuit of biopolitical ends through a regime of democratic citizenship does appear, historically, to have imposed increasingly narrow limits on coercive policies, and to have generated a “logic” or imperative of increasing liberalization. Despite limitations imposed by political context and the slow pace of discursive change, I think this is the unmistakable message of the really very impressive waves of legislative and welfare reforms in the 1920s or the 1970s in Germany.90 Of course it is not yet clear whether this is an irreversible dynamic of such systems. Nevertheless, such regimes are characterized by sufficient degrees of autonomy (and of the potential for its expansion) for sufficient numbers of people that I think it becomes useful to conceive of them as productive of a strategic configuration of power relations that might fruitfully be analyzed as a condition of “liberty,” just as much as they are productive of constraint, oppression, or manipulation. At the very least, totalitarianism cannot be the sole orientation point for our understanding of biopolitics, the only end point of the logic of social engineering. This notion is not at all at odds with the core of Foucauldian (and Peukertian) theory. **Democratic welfare states are regimes of power/knowledge no less than early twentieth-century totalitarian states**; these systems are not “opposites,” in the sense that they are two alternative ways of organizing the same thing. **But they are two very different ways of organizing it**. The concept “power” should not be read as a universal stifling night of oppression, manipulation, and entrapment, in which all political and social orders are grey, are essentially or effectively “the same.” Power is a set of social relations, in which individuals and groups have varying degrees of autonomy and effective subjectivity. And discourse is, as Foucault argued, “tactically polyvalent.” Discursive elements (like the various elements of biopolitics) can be combined in different ways to form parts of quite different strategies (like totalitarianism or the democratic welfare state); they cannot be assigned to one place in a structure, but rather circulate. The varying possible constellations of power in modern societies create “multiple modernities,” modern societies with quite radically differing potentials.91

#### ( ) Their K oversimplifies—biopower is not a one-way street—it produces equivalent resistances that check the impact

Campbell 98 - professor of international politics at the University of Newcastle - 1998 (David, “Writing Security: United States Foreign Policy and the Politics of Identity,” pg. 204-205)

The political possibilities enabled by this permanent provocation of power and freedom can be specified in more detail by thinking in terms of the predominance of the “bio-power” discussed above. In this sense, **because the governmental practices of biopolitics in West­ern nations have been increasingly directed toward modes of being and forms of life** — such that sexual conduct has become an object of concern, individual health has been figured as a domain of discipline, and the family has been transformed into an instrument of govern­ment— **the ongoing agonism between those practices and the free­dom they seek to contain means that individuals have articulated a series of counterdemands drawn from those new fields of concern.** For example, as the state continues to prosecute people according to sexual orientation, human rights activists have proclaimed the right of gays to enter into formal marriages, adopt children, and receive the same health and insurance benefits granted to their straight coun­terparts. **These claims are a consequence of the permanent provoca­tion of power and freedom in biopolitics, and stand as testament to the “strategic reversibility” of power relations: if the terms of governmental practices can be made into focal points for resistances, then the “history of government as the ‘conduct of conduct’ is interwoven with the history of dissenting ‘counterconducts.”**’39 Indeed, the emer­gence of the state as the major articulation of “the political” has in­volved an unceasing agonism between those in office and those they rule**. State intervention in everyday life has long incited popular col­lective action, the result of which has been both resistance to the state and new claims upon the state.** In particular, “the core of what we now call ‘citizenship’ consists of multiple bargains hammered out by rulers and ruled in the course of their struggles over the means of state action, especially the making of war.” In more recent times, **constituencies associated with women’s, youth, ecological, and peace movements** (among others) **have also issued claims on society. These resistances are evidence that the break with the discursive/nondiscursive dichotomy central to the logic of interpretation undergirding this analysis is (to put it in conventional terms) not only theoretically licensed; it is empirically warranted.** Indeed, expanding the interpretive imagination so as to enlarge the categories through which we understand the constitution of “the political” has been a necessary precondition for making sense of Foreign Policy’s concern for the ethical borders of identity in America. Accordingly, there are manifest political implications that flow from theorizing identity. As Judith Butler concluded: “The deconstruction of identity is not the deconstruction of politics; rather, it establishes as political the very terms through which identity is articulated.”

### AT: Racism, Massacres

#### Biopower does not cause racism or massacres—it is only when it is in the context of a violent or racist government that it is dangerous.

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**It is the logic of racism, according to Foucault, that makes killing acceptable in modern biopolitical societies. This is not to say, however, that biopolitical societies are necessarily more racist**  than other societies. **It is to say that in the era of biopolitics, only racism**, because it is a determination immanent to life, **can “justify the murderous function of the State”.**89 However, racism can only justify killing – **killing that does not follow from the logic of biopower but from the logic of the sovereign power**. Racism is, in other words, the only way the sovereign power, the right to kill, can be maintained in biopolitical societies: “Racism is bound up with workings of a State that is obliged to use race, the elimination of races and the purification of the race, to exercise its sovereign power.”90 Racism is, in other words, a discourse – “quite compatible”91 with biopolitics – through which biopower can be most smoothly transformed into the form of sovereign power. Such transformation, however, changes everything. A biopolitical society that wishes to “exercise the old sovereign right to kill”, even in the name of race, ceases to be a mere biopolitical society, practicing merely biopolitics. It becomes a “demonic combination” of sovereign power and biopower, exercising sovereign means for biopolitical ends. In its most monstrous form, it becomes the Third Reich. For this reason, I cannot subscribe to Agamben’s thesis, according to which biopolitics is absolutized in the Third Reich.93 To be sure, the Third Reich used biopolitical means – it was a state in which “insurance and reassurance were universal”94 – and aimed for biopolitical ends in order to improve the living conditions of the German people -- but so did many other nations in the 1930s. **What distinguishes the Third Reich** from those other nations **is the fact that, alongside its biopolitical apparatus, it erected a massive machinery of death**. It became a society that “unleashed murderous power, or in other words, the old sovereign right to take life” throughout the “entire social body”, as Foucault puts it.95 **It is not, therefore, biopolitics that was absolutized in the Third Reich – as a matter of fact, biopolitical measures in the Nazi Germany were, although harsh, relatively modest in scale compared to some present day welfare states – but rather the sovereign power:** “This power to kill, which ran through the entire social body of Nazi society, was first manifested when the power to take life, the power of life and death, was granted not only to the State but to a whole series of individuals, to a considerable number of people (such as the SA, the SS, and so on). Ultimately, everyone in the Nazi State had the power of life and death over his or her neighbours, if only because of the practice of informing, which effectively meant doing away with the people next door, or having them done away with.96” **The only thing that the Third Reich actually absolutizes is, in other words, the sovereignty of power and therefore, the nakedness of bare life** – at least if sovereignty is defined in the Agambenian manner: “The sovereign is the one with respect to whom all men are potentially homines sacri, and homo sacer is the one with respect to whom all men act as sovereigns.”97

### Perm

#### Perm - do the plan and criticize the discourse employed - internal resistance solves – democratic biopolitics is a positive means of producing social change solves biopower – their perm answers ignore the fluid nature of biopower

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Second, I would argue that there is also a causal fit between cultures of expertise, or “scientism,” and democracy. Of course, “scientism” subverted the real, historical ideological underpinnings of authoritarian polities in Europe in the nineteenth century. It also in a sense replaced them. **Democratic citizens have the freedom to ask “why**”; and in a democratic system there is therefore a bias toward pragmatic, “objective” or naturalized answers— since values are often regarded as matters of opinion, with which any citizen has a right to differ. Scientific “fact” is democracy’s substitute for revealed truth, expertise its substitute for authority. **The age of democracy is the age of professionalization, of technocracy; there is a deeper connection between the two, this is not merely a matter of historical coincidence**. Third, the vulnerability of explicitly moral values in democratic societies creates a problem of legitimation. Of course there are moral values that all democratic societies must in some degree uphold (individual autonomy and freedom, human dignity, fairness, the rule of law), and those values are part of their strength. But as people’s **states, democratic social and political orders are** also **implicitly and often explicitly expected to do something positive and tangible to enhance the well-being of their citizens**. **One of those things**, of course**, is simply to provide a rising standard of living**; **and the visible and astonishing success of that project has been crucial to all Western democracies** since 1945.  **Another is the provision of a rising standard of health**; and here again, **the democratic welfare state has “delivered the goods” in concrete, measurable, and extraordinary ways**. In this sense, **it may not be so simpleminded**, after all, **to insist on** considering **the fact** **that modern biopolitics has “worked” phenomenally well**. Fourth**, it was precisely the democratizing dynamic of modern societies that made the question of the “quality” of the mass of the population seem**— **and not only in the eyes of the dominant classes increasingly important**. Again, **in the course of the nineteenth and early twentieth centuries the expected level of the average citizen’s active participation in European political, social, cultural, and economic life rose steadily, as did the expected level of her effective influence in all these spheres**. This made it a matter of increasing importance whether the average person was more or less educated and informed, more or less moral and self-disciplined,more or less healthy and physically capable,more or less socially competent. And modern social reform **“biopolitics”** defined very broadly—**seemed to offer the possibility of creating the human foundation for a society ordered by autonomous participation**, **rather than by obedience**. This too was part of the Machbarkeitswahn of modernity; but this was potentially a democratic “Wahn,” not only an authoritarian one.  Fifth, historically there has been a clear connection between the concept of political citizenship and the idea of moral autonomy. The political “subject” (or citizen — as opposed to the political subject,who is an object of state action) is also a moral subject. The citizen’s capacity for moral reasoning is the legitimating postulate of all democratic politics. The regulation of sexual and reproductive life has long been understood in European societies to be among the most fundamental issues of morality.  There is, therefore, a connection between political citizenship on the one hand, and the sexual and reproductive autonomy implied in the individual control that is a central element of the modern biopolitical complex, on the other. The association in the minds of conservatives in the late imperial period between democracy and declining fertility was not a panicky delusion; panicky it certainly was, but it was also a genuine insight into a deeper ideological connection.113 Perhaps it should not be surprising, therefore, that the first great homeland of eugenic legislation was the United States — the first great homeland of modern democracy. In fact the United States served both as a kind of promised land for racial and eugenic “progressives” in Germany, and as a worst-case scenario of “regression into barbarism” for those opposed to coercive eugenic measures. 114 Nor should it be surprising that, apart from Nazi Germany, the other great land of eugenic sterilization in Europe in the 1930s was Scandinavia, where democratic governments heavily influenced by social democratic parties were busily constructing the most ambitious and extensive welfare states in the world.115 The lesson is not that modern democracy is “dangerous” or destructive, much less that it is crypto-fascist — that, as Jacques Donzelot put it, the 1930s was the age of “social fascism” and our own age that of “social sector fascism.” 116 The relevant message is, rather, that it is time to place the less familiar history of modern democratic biopolitics alongside the more familiar history of modern totalitarian biopolitics. The dream of perfectibility — Machbarkeitswahn — is central to modernity. But **social engineering, the management of society, can be organized in different ways. Historically, totalitarian biopolitics was a self-destructive failure**. **Democratic biopolitics has, in contrast, been**— not in any moral sense, but politically —**a howling success**. For the historian interested in modernity, that story is no less interesting or important than the story of the implosion of the Nazi racial state."